Fasting (*siyaam*)[1] in Arabic linguistically means to restrain or abstain from. According to the Sharee‘ah it means “abstaining from food, drink, sexual intercourse, and other acts mentioned in the divine law during the day in the prescribed way. It is followed by abstinence from foolish talk, obscenity, and other forms of prohibited and disliked speech, due to the narration of *hadeeths* forbidding them during fasting more so than at other times. [The abstinence should be] during a specified time, and under special conditions which are explained in the following *hadeeths*. The beginning of its obligation was in the second year after the Hijrah.[2]

**[608]** - عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ قَالَ : قَالَ رَسُولُ اللهِ ﷺ: (( **لاَ تَقَدَّمُوا رَمَضَانَ بِصَوْمِ يَوْمٍ وَلاَ يَوْمَيْنِ، إِلاَّ رَجُلٌ كَانَ يَصُومُ صَوْماً فَلْيَصُمْهُ**)). مُتَّفَقٌ عَلَيْهِ .

**[1] -** Aboo Hurayrah narrated that Allaah’s messenger (ﷺ) said, **“*Do not fast one or two days just before Ramadaan, except in the case of a person who has been in the habit of fasting this way. He may fast on those days.*”** Collected by al-Bukhaaree and Muslim.[3]

Aboo Hurayrah’s quotation of Allaah’s Messenger (ﷺ) as saying, **“*Do not fast one or two days just before Ramadaan…*”** contains evidence supporting the use of the term *Ramadaan* as a general term for the month of Ramadaan. The *hadeeth* of Aboo Hurayrah collected by Ahmad and others attributed to the Prophet (ﷺ),

((لاَ تَقُولُوا جَاءَ رَمَضَانُ فَإِنَّ رَمَضَانَ اسْمٌ مِنْ أَسْمَاءِ اللهِ وَلَكِنْ قُولُوا جَاءَ شَهْرُ رَمَضَانَ)).

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[1] *Sawm* is a synonym for *siyaam*.

[2] This commentary, *Subulus-Salaam*, was made by Muhammad ibn Ismaa‘eel as-San‘aanee (d. 1182)

[3] *Sahih Al-Bukhari*, vol. 3, pp. 75-6, no. 138 and *Sahih Muslim*, vol. 2, p. 527, no. 2382.

"*Don't say: 'Ramadaan has come,' because Ramadaan is one of Allaah's names. Instead, say, 'The month of Ramadaan has come.'* " is weak and cannot validly oppose what is found in the authentic [collections of al-Bukhaaree and Muslim].[4]

**"*except in the case of a person*[5] *who has been in the habit of fasting this way. He may fast on those days.*"**

The *hadeeth* is proof for the prohibition of fasting a day or two before Ramadaan. After narrating this *hadeeth,* at-Tirmithee said: "Doing this according to the people of knowledge was considered disliked (*makrooh*). They disliked that a person fast before the arrival of Ramadaan based on the very meaning of the term Ramadaan." At-Tirmithee's statement "based on the meaning of Ramadaan," restricts the prohibition to precautionary fasts, and not fasting in general, like voluntary fasts, fasts due to vows, and other similar fasts. That restriction obviously implies that preceding Ramadaan by any other kind of fast is permissible. But that position is in conflict with the obvious meaning of the *hadeeth* which is general. Nothing is excluded from it except the fast of someone who regularly fasts fixed days and they coincide with the last days of Sha'baan. If the Prophet (ﷺ) had intended that the fast be limited by what at-Tirmithee mentioned, he would have said, "except one doing voluntary fasts," or something similar. Prohibition of preceding Ramadaan with fasts was because the Lawgiver had linked the beginning of fasting the Ramadaan fast to the sighting of the crescent moon. One who precedes its sighting is in conflict with both the commands and prohibitions of the religious texts. The *hadeeth* also contains invalidation of the esoteric (*Baatinites*) practice of preceding the fast by one or two days prior to sighting the crescent moon of Ramadaan, and their claim that the particle preposition (*laam*) in the Prophet's statement: صُومُوا لِرُؤْيَتِهِ *Fast for its sighting* means "greeting it", because the *hadeeth* indicates that the *laam*

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[4] In *Sahih Al Bukhari,* the Prophet (ﷺ) himself was reported to have said precisely what this narration prohibits:

عَنْ أَبِي هُرَيْرَةَ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ إِذَا جَاءَ رَمَضَانُ فُتِّحَتْ أَبْوَابُ الْجَنَّةِ وَغُلِّقَتْ أَبْوَابُ النَّارِ وَصُفِّدَتْ الشَّيَاطِينُ

Aboo Hurayrah related that the Prophet (ﷺ) said, "*When Ramadaan comes the gates of Paradise are opened, the gates of the Hellfire are locked and the devils are chained.*"

[5] The commentator here points out that in the manuscripts of *Buloogh al-Maraam* two words were missing " أَنْ يَكُونَ if he was" and he mentions that in *Sahih Muslim* the phrase " إِلاَّ رَجُلاً " using the accusative (*mansoob*) is used. He further pointed out it was linguistically logical as it was a connected exception (*istithnaa muttasil*) [of a man from the plural subject of verb *taqaddamoo*].

cannot be correctly interpreted according to this meaning even though it carries that meaning in other contexts. Some scholars took the position that the prohibition of fasting after the first half Sha‘baan is from the sixteenth of Sha‘baan based on the *h̲adeeth* of Aboo Hurayrah from the Prophet (ﷺ) in which he said,

((إِذا انْتَصَفَ شَعْبَانُ فَلاَ تَصُومُوا)).

"*Don't fast after Sha'baan reaches its mid point.*" Collected by the authors of the *Sunan* and others. It is said that it is disliked after the middle and forbidden one or two days before Ramad̲aan. Others held that it was permissible after the middle and forbidden one or two days before. The first was permissible because that was the basic ruling on fasting and Aboo Hurayrah's *h̲adeeth* was weak. Ah̲mad and Ibn Ma'een rated it objectionable (*munkar*).[6] The prohibition of the second was based on the *h̲adeeth* of this chapter. This was a good ruling.

**[609]** – وَعَنْ عَمَّارِ بْنِ يَاسِرٍ رَضِيَ اللهُ عَنْهُ قَالَ : مَنْ صَامَ اليَوْمَ الذي يُشَكُّ فيه فَقَدْ عَصىَ أَبَا الْقَاسِمِ. ذَكَرَهُ البُخاريُّ تَعْلِيقاً، ووَصَلَهُ الخَمْسَةُ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وابْنُ حِبَّانَ .

**[2] -** ‘Ammaar ibn Yaasir – May Allaah be pleased with him – said, "Whoever fasts on the day of doubt has disobeyed Abul-Qaasim (ﷺ)."

Al-Bukhaaree recorded it without a chain (*mu'allaq*) and the five recorded it with its chain and it was authenticated by Ibn Khuzaymah and Ibn H̲ibbaan.

The five connected it to ‘Ammaar and the author (Ibn H̲ajar) added in his commentary on al-Bukhaaree (*Fat'h̲ul-Baaree*) that it also recorded by al-H̲aakim and that they connected it through ‘Amr ibn Qays from Aboo Is'h̲aaq and its wording in their recording was:

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[6] See Module 6 Hadeeth no. 41 where it is authenticated by the commentator himself and the translator provides reference to Shaykh Albanee's authentication of the same

((كُنَّا عِنْدَ عَمَّارِ بْنِ يَاسِرٍ فَأُتِيَ بِشَاةٍ مصلية فَقَالَ: كُلُوا فَتَنَحَّى بَعْضُ الْقَوْمِ فَقَالَ: إِنِّي صَائِمٌ فَقَالَ عَمَّارٌ: مَنَ صَامَ إلخ )).

"We were with 'Ammaar ibn Yaasir and a cooked sheep was brought so he said, 'Eat!' Some people refused and one said, 'I'm fasting.' So 'Ammaar replied, 'Whoever fasts…' " Ibn 'Abdil-Barr said, "I had a chain according to them and they had no disagreement regarding it." However, its text is *mawqoof*, although its ruling is *marfoo'* and its meaning is understood from the *hadeeths* which prohibit meeting Ramadaan fasting and the *hadeeths* containing the instruction to fast when the moon is sighted.

The Day of Doubt (*yawmus-shakk*) is the thirtieth of Sha'baan if the crescent was not sighted the night before due to clouds or other similar factors. As a result, that day could be from Ramadaan or from Sha'baan. This *hadeeth* and others carrying the same meaning indicate the prohibition of fasting that day. This was the position taken by ash-Shaafi'ee and the companions of the Prophet (ﷺ) differed regarding it. Some permitted it and some prohibited it and considered it disobedience of Abul-Qaasim. The proof is with those who prohibited it. What was collected by ash-Shaafi'ee from Faatimah bint Husayn that 'Alee – may Allaah be pleased with him – said, "To fast a day from Sha'baan is more beloved to me than breaking fast on a day in Ramadaan." It is a disjointed (*munqati'*) narration which does not address specifically the day of doubt. In fact, when a man bore witness to him that he saw the crescent, he fasted and instructed people to fast and said, "To fast a day…" Textual evidence in this regard can be found in the narration of Ibn 'Abbaas:

((فَإِنْ حَالَ بَيْنَكُمْ وَبَيْنَهُ سَحَابٌ فَأَكْمِلُوا الْعِدَّةَ ثَلاَثِينَ وَلاَ تَسْتَقْبِلُوا الشَّهْرَ اسْتِكْبَالاً )).

"*If clouds come between you and the crescent moon, complete the period of thirty and do not meet the month fasting.*" This was collected by Ahmad and the compliers of the *Sunan*, Ibn Khuzaymah, Aboo Ya'laa, and at-Tayaalasee collected it with the following wording:

((لاَتَسْتَقْبِلُوا رَمَضَانَ بِيَوْمٍ مِنْ شَعْبَانَ )).

"*Do not meet Ramadaan with a day from Sha'baan.*" This was collected by ad-Daaraqutnee and authenticated by Ibn Khuzaymah in his *Saheeh*. Aboo Daawood collected from 'Aa'ishah the following narration:

(( كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَتَحَفَّظُ مِنْ شَعْبَانَ مَا لَا يَتَحَفَّظُ مِنْ غَيْرِهِ ثُمَّ يَصُومُ لِرُؤْيَةِ رَمَضَانَ فَإِنْ غُمَّ عَلَيْهِ عَدَّ ثَلَاثِينَ يَوْمًا ثُمَّ صَامَ )).

"*Allaah's Messenger (ﷺ) used to be more careful about [the beginning and end of] Sha'baan than any other month. He would fast when the crescent for Ramadaan was sighted and if the sky was cloudy, he would count thirty days and then fast.*"

Aboo Daawood also collected the following narration from Huthayfah which he attributed to the Prophet (ﷺ):

(( لاَ تُقَدِّمُوا الشَّهْرَ حَتَّى تَرَوْا الْهِلاَلَ أَوْ تُكْمِلُوا الْعِدَّةَ)).

"*Don't begin the month until you either seen the crescent moon or complete the count.*"

In this chapter there are many *hadeeths* which indicate the prohibition on fasting on the day of doubt. Among them is the following:

**[610]** - وَعَنِ ابْنِ عُمَرَ رَضِيَ اللهُ عَنْهُمَا قَالَ : سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ : **((إِذَا رَأَيْتُمُوهُ فَصُومُوا، وإِذا رَأَيْتُمُوهُ فافطِرُوا، فَإِن غُمَّ عَلَيْكُمْ فاقْدُرُوا لَهُ))** مُتَّفَقٌ عَلَيْهِ .

وَلِمُسْلِمٍ : (( **فإِنْ أُغْمِيَ عَلَيْكُمْ فَاقْدُرُوا لَهُ ثلاثِينَ** )). وَلِلْبُخَارِيِّ : (( **فأَكْمِلُوا العِدَّةَ ثلاثِينَ** )).

**[3] -** Ibn 'Umar reported that he heard Allaah's messenger (ﷺ) say, **"*Fast when you see it*** *(the new moon),* ***and break your fast when you see it; but if the weather is cloudy, calculate when it should appear.*"**

Collected by al-Bukhaaree and Muslim. Muslim's version has, **"…*if it is cloudy, calculate thirty days.*"** al-Bukhaaree has, **"*Complete the period as thirty.*"**[7]

This *hadeeth* is evidence for the obligation of fasting Ramadaan based on sighting its crescent moon and ending the fast on the first day of Shawaal based on sighting its crescent moon. The obvious meaning of the *hadeeth* implies that sighting the crescent is conditional for everyone addressed. However, there is a consensus that it is not obligatory. Instead, the intended meaning is whatever will establish the legal ruling of information from a single just person or two, as there is some difference of opinion relating to this. Thus, the meaning of **"*when you see it,*"** is "if you find among yourselves a sighting." This understanding indicates further that the sighting of a region is sufficient for all the people of that land and the obligation of fasting is applicable to them.

It is also said that this understanding is not to be considered, because the address was specifically for the people to whom it was addressed. And there are a number of opinions on this issue, none of which have solid evidence to support them. The most correct opinion is that the people of the land in which it was seen are obliged to fast along with those whose lands are connected to them which are similar to their lands.

In his statement " لِرُؤْيَتِهِ based on its sighting"[8] contains proof that if a single person alone sees the crescent moon, he is obliged to fast and break his fast, which is the opinion of the Imaams of Ahlul-Bayt and the four *math'habs* regarding fasting. They differed regarding breaking the fast. Ash-Shaafi'ee held that he should break his fast secretly and the majority held that he should continue fasting as a precautionary measure. This is what Ibn Hajar said in his commentary. However, he previously said in the beginning of the chapter on the 'Eed Prayers that only Muhammad ibn al-Hasan ash-Shaybaanee held that he should leave what he is certain about and follow the judgment of the masses, and

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[7] *Sahih Al-Bukhari,* vol.3, p.72, no.130 and *Sahih Muslim*, vol.2, p.525, no.2364.

[8] This wording is found in al-Bukhaaree's narration; *Sahih Al-Bukhari,* vol.3, p73, no.133.:

عَنْ مُحَمَّدِ بْنِ زِيَادٍ قَالَ سَمِعْتُ أَبَا هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ يَقُولُ قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَوْ قَالَ قَالَ أَبُو الْقَاسِمِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ صُومُوا لِرُؤْيَتِهِ وَأَفْطِرُوا لِرُؤْيَتِهِ فَإِنْ غُبِّيَ عَلَيْكُمْ فَأَكْمِلُوا عِدَّةَ شَعْبَانَ ثَلَاثِينَ

that the vast majority held that he must follow what he is certain of. He contradicted here what he said previously. The reason for this difference of opinion is due to the statement of Ibn ‘Abbaas to Kurayb that he would not follow the sighting of the crescent while in Syria. Instead, he would go along with the people of the city and fast on the thirty-first according to the Syrian sighting because it was their thirtieth day. And Ibn ‘Abbaas said that that was from the Sunnah. The *hadeeth* was mentioned previously However, it is not a decisive text which may be used as evidence for what they use it due to it containing other possible meanings, as was discussed earlier. What is correct is that he should act according to what he is certain of whether fasting or breaking the fast. But it is better that he hide his decision in order to protect people from committing sin by thinking ill of him.

Muslim’s version has, “***if it is cloudy, calculate thirty days.***” al-Bukhaaree has, “***Complete the period as thirty.***” Meaning “break fast on the thirtieth and consider it the end of the month.” And that was the best explanation. There is another explanation narrated by Ibn Hajar which is beyond the obvious meaning of the *hadeeth.* Ibn Battaal said: “The *hadeeth* contains a rejection to the claims of the astrologers. Instead, the sighting of the crescent is to be depended upon and we have been forbidden from *takalluf.* Al-Baajee said in reply to those who say that it is permissible for calculators, astrologers and others to fast and break fast depending on the stars, “The unanimous opinion (*Ijmaa‘*) of the early generation (*salaf*) is evidence against them.” Ibn Bazeezah said, “It is a false opinion. For the Sharee‘ah has forbidden delving into astrology because it is guesswork and approximation, devoid of certainty. Ibn Hajar said, “The obvious answer to them is what al-Bukhaaree collected from Ibn ‘Umar in which the Prophet (ﷺ) said,

(( إِنَّا أُمَّةٌ أُمِّيَّةٌ لَا نَكْتُبُ وَلَا نَحْسُبُ الشَّهْرُ هَكَذَا وَهَكَذَا يَعْنِي مَرَّةً تِسْعَةً وَعِشْرِينَ وَمَرَّةً ثَلَاثِينَ )).

“*Indeed we are an unlettered nation. We do not write nor calculate. The month is like this and like this, meaning that it is twenty-nine sometimes and thirty sometimes.*”[9]

**[611]** - وَلَهُ فِي حَدِيثِ أَبِي هُرَيْرَةَ : (( **فَأَكْمِلُوا عِدَّةَ شَعْبَانَ ثلاثِينَ** )).

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[9] *Sahih Al-Bukhari,* vol.3, p.75 , no.137 , Kitaab: Sawm; Baab: Qawl an Nabee: Laa naktub

**[4] -** In a version from Aboo Hurayrah's tradition, al-Bukharee also has, ***"Treat Sha'baan as having thirty days."*** [10]

This is a clear statement of what was implied by the command to fast when the crescent is sighted and to complete the period if it is cloudy. These *hadeeths are* textual evidences proving that fasting and breaking fast is only valid with the sighting of the crescent or the completion of the period.

**[612]** - وَعَنِ ابْنِ عُمَرَ رَضِيَ اللهُ عَنْهُمَا قَالَ : تَرَاءَى النَّاسُ الهِلالَ، فَأَخْبَرْتُ النَّبِيَّ ﷺ أَنِّي رَأَيْتُهُ، فَصَامَ، وَأَمَرَ النَّاسَ بِصِيَامِهِ . رَوَاهُ أَبُو دَاوُدَ، وَصَحَّحَهُ الحَاكِمُ وابْنُ حِبَّانَ.

**[5] -** Ibn 'Umar said, ***"The people tried to see the new moon and I informed the Prophet (ﷺ) that I had seen it, so he fasted and commanded the people to observe the fast."***

Collected by Aboo Daawood; al-Haakim and Ibn Hibbaan declared it sound.[11]

The *hadeeth* is proof for acting on the information of a single narrator (*khabar al-waahid*) for entering the fast. It is the position of a group of the leading scholars. 'Adaalah is a condition in it. The others held that there must be two witnesses because it is a witnessing and they used as evidence a narration collected by an-Nasaa'ee from 'Abdur-Rahmaan ibn Zayd ibn al-Khattaab in which he [addressed the people on the day of doubt and] said,

(( أَلَا إِنِّي جَالَسْتُ أَصْحَابَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَسَاءَلْتُهُمْ وَإِنَّهُمْ حَدَّثُونِي أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ صُومُوا لِرُؤْيَتِهِ وَأَفْطِرُوا لِرُؤْيَتِهِ وَانْسُكُوا لَهَا فَإِنْ غُمَّ عَلَيْكُمْ فَأَكْمِلُوا ثَلَاثِينَ فَإِنْ شَهِدَ شَاهِدَانِ فَصُومُوا وَأَفْطِرُوا)).

"I sat with the companions of Allaah's Messenger (ﷺ) and asked them and they informed me that Allaah's Messenger said, "*Fast when it is sighted and break fast*

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[10] *Sahih Al-Bukhari*, vol.3, p.73, no.133.

[11] *Sunan Abu Dawud,* vol.2, pp.642-3, no. 2335 and authenticated in *Saheeh Sunan Abee Daawood,* vol. 2, p. 446, no. 2052.

*when it is sighted. If it is cloudy for you, complete Sha'baan's period as thirty days, except if two witnesses bear witness; fast and break your fast.*"[12]

This narration implies that a single witness is not sufficient. My reply to it is that it is understood indirectly (*mafhoom*), while the stated understanding (*mantooq*) in Ibn 'Umar's *hadeeth* and the following *hadeeth* of the Bedouin is stronger than it and they indicate the acceptance of a single witness's statement. Likewise, the statement of a woman and a slave is acceptable. As for ending the month, the obvious meaning is that fasting and breaking fast are equal with respect to the sufficiency of a single witness. Regarding Ibn 'Abbaas and Ibn 'Umar's *hadeeth* that the Prophet (ﷺ) allowed a single witness for the crescent moon of Ramadaan, but he did not allow witnessing for breaking the fast except that given by two male witnesses, ad-Daaraqutnee declared it inauthentic (*da'eef*) and said, "Hafs ibn 'Umar al-Aylee alone narrated it and he was unreliable [*da'eef*]." Acceptance of a single witness for beginning Ramadaan is also indicated by the following narration:

**[613]** - وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللهُ عَنْهُما أَنَّ أَعْرَابِيًّا جَاءَ إِلى النَّبِيِّ ﷺ فَقَالَ : إِنِّي رَأَيْتُ الهلالَ، فَقَالَ : **"أَتَشْهَدُ أَنْ لا إِلهَ إِلا اللهُ؟ قَالَ : نَعَمْ. قَالَ : "أَتَشْهَدُ أَنَّ مُحَمَّداً رَسُولُ اللهِ؟" قَالَ : نَعَمْ. قَالَ: "فأَذِّنْ فِي النَّاسِ يَا بِلالُ، أَنْ يَصُومُوا غَداً"** رَوَاهُ الخَمْسَةُ. وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وابْنُ حِبَّانَ، وَرَجَّحَ النَّسَائِيُّ إِرْسَالَهُ .

**[6] -** Ibn 'Abbaas stated that a desert Arab came to the Prophet (ﷺ) and said, "I have seen the new moon." He asked him, **"*Do you testify that there is no god but Allaah?*"** He replied, "Yes." He then asked him, **"*Do you testify that Muhammad is Allaah's messenger?*"** He replied, "Yes." He (ﷺ) said, **"*Announce to the people, Bilaal, that they must fast tomorrow.*"**

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[12] *Sunan an-Nasaa'ee,* vol.2, p.95, no.2115 , Kitaab: Siyaam, Baab; Qabool shahaadat rajul waahid

Collected by the five, Ibn Khuzaymah and Ibn Hibbaan authenticated it, but an-Nasaa'ee said that it is missing the link to the Companions.[13]

This narration contains evidence, like the narration which preceded it, for the acceptance of a single witness in fasting and an indication that the basic ruling on Muslims is that they are "just" trustworthy *'adaalah* since the Prophet (ﷺ) did not request anything from the Bedouin besides his declaration of faith. It also contains evidence that the issue concerning the crescent moon is according to the conveyance of information and not the bearing of witness. Furthermore, it indicates that affirmation of the two declarations of faith are sufficient to establish faith and that *tabarree* (disavowance) of all other religions is not necessary.

[13] *Sunan Abu Dawud,* vol. 2, p. 642, no. 2333 and rated inauthentic in *Da'eef Sunan Abee Daawood,* vol. 1, p. 233, no. 507.

**[613]** - وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللهُ عَنْهُما أنَّ أعْرَابيًّا جَاءَ إلى النَّبيِّ ﷺ فَقَالَ : إنِّي رَأَيْتُ الهلالَ، فقَالَ : **"أتَشْهَدُ أنْ لا إلهَ إلا اللهُ؟ قَالَ : نَعَمْ. قَالَ : "أتَشْهَدُ أنَّ مُحَمَّداً رَسُولُ اللهِ؟" قَالَ : نَعَمْ. قَالَ: "فأذِّنْ في النَّاس يَا بِلالُ، أنْ يَصُومُوا غَداً"** رَوَاهُ الخَمْسَةُ. وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وابْنُ حِبَّانَ، وَرَجَّح النَّسَائِيُّ إرْسَالَهُ .

**[6] -** Ibn ‘Abbaas stated that a desert Arab came to the Prophet (ﷺ) and said, “I have seen the new moon.” He asked him, **“*Do you testify that there is no god but Allaah?*”** He replied, “Yes.” He then asked him, **“*Do you testify that Muhammad is Allaah’s messenger?*”** He replied, “Yes.” He (ﷺ) said, **“*Announce to the people, Bilaal, that they must fast tomorrow.*”**

Collected by the five, Ibn Khuzaymah and Ibn Hibbaan authenticated it, but an-Nasaa’ee said that it is missing the link to the Companions.[1]

This narration contains evidence, like the narration which preceded it, for the acceptance of a single witness in fasting and an indication that the basic ruling on Muslims is that they are “just” trustworthy *‘adaalah* since the Prophet (ﷺ) did not request anything from the Bedouin besides his declaration of faith. It also contains evidence that the issue concerning the crescent moon is according to the conveyance of information and not the bearing of witness. Furthermore, it indicates that affirmation of the two declarations of faith are sufficient to establish faith and that *tabarree* (disavowance) of all other religions is not necessary.

[1] *Sunan Abu Dawud,* vol. 2, p. 642, no. 2333 and rated inauthentic in *Da‘eef Sunan Abee Daawood,* vol. 1, p. 233, no. 507.

**[614]** - وَعَنْ حَفْصَةَ أُمِّ الْمُؤْمِنِينَ أنَّ النَّبِيَّ ﷺ قَالَ : **"مَنْ لَمْ يُبَيِّتْ الصِّيَامَ قَبْلَ الفَجْرِ فلا صِيامَ لَهُ"** رَوَاهُ الخَمْسَةُ، وَمَالَ التِّرْمِذِيُ والنَّسَائِيُّ إلى تَرْجِيحِ وَقْفِه، وَصَحَّحَهُ مَرْفُوعاً ابْنُ خُزَيْمَةَ وابْنُ حِبَّـــانَ .

وَلِلدَّارَقُطْنِيِّ : **"لا صَيامَ لِمَنْ لَمْ يَفْرِضْهُ مِنَ اللَّيْلِ"** .

**[7] -** Hafsah, the mother of the believers, narrated that the Prophet (ﷺ) said, **"*He who does not express his intention of fasting before the dawn is not credited with it.*"**

Collected by the five; at-Tirmithee and an-Nasaa'ee said that it is traced back just to the companions, not to the Prophet (ﷺ). Ibn Khuzaymah and Ibn Hibbaan declared it sound with a full chain of narrators.

Daaraqutnee has, **"*He who does not express his intention to fast the night before fasting is not credited with observing a fast.*"** [2]

Scholars differed regarding whether it should be attributed to the Prophet (ﷺ) or to the companion. Ibn Hazm said, "The difference regarding it increases its strength, because those who narrated it from the Prophet (ﷺ) also narrated it from the companion. And at-Tabaraanee collected it with a different chain of narrators and said that its narrators were reliable. It indicates that fasting is not correct unless intention is made the night before. He should intend the fast in any portion of the night, beginning from sunset. The reason for this being that fasting is a deed and deeds are judged according to intentions. Furthermore, the periods of the day are not separated from the night by any actual divider. Thus, the intention is not realized unless it is made at some point during the night. Furthermore, it is conditional that the intention be made for every separate day which is the most well-known position of Ahmad ibn Hanbal. He also has a position that if he makes the intention at the beginning of the month it is acceptable. Ibn 'Aqeel supported that position based on the Prophet's statement, "*Everyone will get according to what he intends,*" and this person has made the intention to fast for the whole month. Furthermore, Ramadaan is like a single act of worship because

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[2] *Sunan Abu Dawud,* vol.2, p.675, no.2448 and authenticated in *Saheeh Sunan Abee Daawood,* vol.2, p.465, no.2143.

breaking fast during its nights is also worship with which the person gets help to fast during the days. And he made an extensive argument indicating its strength.

The *hadeeth* is general, including obligatory and voluntary fasts, make-up fasts, and fasts for specific and general vows. However, there are differences of opinion regarding these issues and further details regarding them.

Those who hold that making the intention is obligatory the night before use as evidence the following *hadeeth* in *Saheeh al-Bukhaaree*:

عَنْ سَلَمَةَ بْنِ الْأَكْوَعِ رَضِيَ اللَّهُ عَنْهُ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بَعَثَ رَجُلًا يُنَادِي فِي النَّاسِ يَوْمَ عَاشُورَاءَ إِنَّ مَنْ أَكَلَ فَلْيُتِمَّ أَوْ فَلْيَصُمْ وَمَنْ لَمْ يَأْكُلْ فَلَا يَأْكُلْ

Salamah ibn al-Akwa‘ related that the Prophet (ﷺ) sent a man to announce among the people on the Day of ‘Aashooraa, that whoever had eaten may continue to eat or they may fast, and whoever had not eaten shouldn’t eat.[3]

They argued that it was originally obligatory to fast on ‘Aashooraa and it was later abrogated by Ramadaan, but the abrogation of its obligation did not nullify the remaining fasting rules. Thus, Ramadaan and other similar fasts, like specific and voluntary oaths may be compared to it. Thus, the generality in the statement, “*He has no fast,*” is specified by analogy (*Qiyaas*) and by the following *hadeeth* of ‘Aa’ishah which indicates that the Prophet (ﷺ) used to fast voluntarily without making the intention the previous night. My reply is that the Fast of ‘Aashooraa is not equivalent to the Fast of Ramadaan so that an analogy could be made between them, as the Prophet (ﷺ) made it a must to fast for one who had eaten and one who had not eaten. Therefore, it is clear that this is a special case and it is also a special case because ‘Aashooraa is rewarded without a prior intention. Thus, an analogy may be made with other practices, like that of one who sleeps until he awakens in the morning, that it is not necessary for the completion of abstinence and its obligation that it be a rewarded fast.

[3] *Sahih Al-Bukhari,* vol.3, p.81, no.147. , Kitaab: Sawm; Baab: Ithaa nawaa bin nahaar sawman

**[615]** - وَعَنْ عائشَةَ رضي الله عنها قَالتْ : دَخَلَ عَلَيَّ النَّبِيُّ ﷺ ذَاتَ يَوْمٍ . فَقَالَ : "**هَلْ عِنْدَكُمْ شَيْءٌ** " **قُلْنا : لا. قَالَ: "فَإِنِّي إذاً صَائِمٌ"** ، **ثُمَّ أَتَانَا يَوْماً آخَرَ، فَقُلْنَا: أُهْدِيَ لَنَا حَيْسٌ ، فَقَالَ : "أَرِنِيهِ، فَلَقَدْ أَصْبَحتُ صَائماً"** فَأَكَلَ. رَوَاهُ مُسْلِمٌ .

**[8] -** 'Aa'ishah related that the Prophet (ﷺ) came to visit her one day and asked, **"*Do you have anything [to eat]?"*** *We replied, "No." He said,* ***"Then I will fast."*** *When he came to us on another day, we told him, "We have been given a present of some Hays*[4]*." He said,* ***"Show it to me, for I began the day fasting,"*** *then he ate.*

Collected by Muslim.[5]

The response to this *hadeeth* is firstly that it is more general than the issue of making the intention the night before, so it should be taken that he did make his intention prior. Because, what contains multiple possibilities should be referred back to the general statements and others similar, as some of the narrations of 'Aa'ishah's *hadeeth* contain the statement, **"*I had woken up fasting,*"** [instead of **"*Then I will fast.*"**] The result is that the basic ruling is according to the generality of the *hadeeth* on making the intention the night before, without distinction between the obligatory, the voluntary, the make-up and the vow. Nothing solid has been brought to cancel these fundamental principles. Therefore, it is required that they remain intact.

**[616]** – وَعَنْ سَهْلِ بْنِ سَعْدٍ رَضِيَ اللهُ عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ : (( **لا يَزَالُ النَّاسُ بِخَيْرٍ مَا عَجَّلُوا الفِطْرَ** )). مُتَّفَقٌ عَلَيْهِ .

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[4] A mixture of dates and clarified butter.

[5] *Sahih Muslim*, vol.2, p.560, no.2574.

**[9] -** Sahl ibn Sa'd reported that Allaah's messenger (ﷺ) said, ***"The people will continue to prosper as long as they hasten to break the fast."***
Collected by al-Bukhaaree and Muslim.[6]

Sahl ibn Sa'd ibn Maalik was from the Khazraj tribe of Madeenah. It is said that his name was originally "<u>H</u>uzn (sadness)" and the Prophet (ﷺ) renamed him "Sahl (easy)". When the Prophet (ﷺ) died he was only fifteen years old. He was the last of the companions to die in Madeenah in he year 91AH (some said it was 88AH).

Ah<u>m</u>ad's collection had the addition:

(( وَ أَخَّرُوا السُّحُورَ ))

"*…and they delay the* su<u>h</u>oor."[7]

Aboo Daawood's narration had the addition:

(( اَلْيَهُودُ وَالنَّصَارَى يُؤَخِّرُونَ الإِفْطَارَ إِلَى إِشْتِبَاكِ النُّجُومِ )).

"*Because the Jews and Christians delay the breaking of the fast until the stars appear.*"[8]

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[6] *<u>S</u>a<u>h</u>i<u>h</u> Al-Bukhari,* vol.3, p.102, no.178 and *<u>S</u>a<u>h</u>i<u>h</u> Muslim*, vol.2, p.533, no.2417.

[7] *Musnad Ahmad*, CD no. 20350.

عَنْ أَبِي ذَرٍّ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَا تَزَالُ أُمَّتِي بِخَيْرٍ مَا عَجَّلُوا الْإِفْطَارَ وَأَخَّرُوا السُّحُورَ

Aboo <u>Th</u>arr quoted Allaah's Messenger (ﷺ) as saying, "*My Nation will remain well as long as they hasten to break the fast and delay the morning meal.*" Al-Albaanee declared it *munkar* because of the presence of Ibn Lahee'ah and its contradiction of other narrations without the addition. (*Irwaa al-Ghaleel,* vol. 4, p. 32, no. 917). Proof for its delayal can be found in Zayd ibn Thaabit's narration in which he said, "We ate the early morning meal with the Prophet (ﷺ) then he stood up for the prayer." He was asked, "How much time was there between the athaan and the suhoor?" He replied, "The time sufficient for reciting fifty verses." (*Sahih Al Bukhari,* vol.3, p.79, no.144 , and *Sahih Muslim*)

Delaying the morning meal means that it has to be a light meal as the time would not be sufficient for a large meal. It was the Sunnah of the Prophet (ﷺ) to have a light early morning meal. This Sunnah allows those who fast to experience hunger and thirst and to learn the lessons of sympathy for those who suffer from hunger and thirst due to circumstances beyond their control.

In the commentary on *Mishkaat al-Masaabeeh* the author added, "It then became in our nation a symbol for the people of innovation and one of their characteristics." The *hadeeth* is proof for the recommendation for hastening the breaking of the fast when it is confirmed that the sun has set by visual sighting or the informing of someone for whom it is permissible to act on his statement. He mentioned the reason, to be contrary to the Jews and Christians. Al-Muhallab said that the wisdom behind it is to avoid increasing the day by taking from the night and because it is more considerate for the fasting person and better to strengthen him for worship. Ash-Shaafi'ee said, "Breaking the fast early is recommended and delaying it is not disliked (*makrooh*), except for a person who deliberately delays it and considers it better." In my opinion, there is in the Prophet's permission to continue the fast until the morning, as in Aboo Sa'eed's *hadeeth,* evidence that delaying the breaking of the fast is not disliked if it is a means to control the soul and repel its desires.[9]

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[8] The wording in *Sunan Abu Dawud,* vol.2, p.646, no.2346, Kitaab: Sawm; Baab: Maa yustahabb min ta'jeel al fitr and authenticated in Saheeh Sunan Abu Dawood, vol.2, p.58, no.2353 is as follows:

عَنْ أَبِي سَلَمَةَ عَنْ أَبِي هُرَيْرَةَ عَنْ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لَا يَزَالُ الدِّينُ ظَاهِرًا مَا عَجَّلَ النَّاسُ الْفِطْرَ لِأَنَّ الْيَهُودَ وَالنَّصَارَى يُؤَخِّرُونَ

Aboo Hurayrah reported that the Prophet (ﷺ) said, "*The religion will remain prominent as long as people hasten to break the fast, because the Jews and Christians delay.*"

[9] In *Sunan Abu Dawud,* vol.1, p.110, no.421, Kitaab: Salaah; Baab: Fee waqt al maghrib and authenticated in Saheeh Sunan Abu Dawood, vol.1, p.123, no.418, hastening to pray the sunset prayer was also recommended:

عَنْ مَرْثَدِ بْنِ عَبْدِ اللَّهِ قَالَ لَمَّا قَدِمَ عَلَيْنَا أَبُو أَيُّوبَ غَازِيًا وَعُقْبَةُ بْنُ عَامِرٍ يَوْمَئِذٍ عَلَى مِصْرَ فَأَخَّرَ الْمَغْرِبَ فَقَامَ إِلَيْهِ أَبُو أَيُّوبَ فَقَالَ لَهُ مَا هَذِهِ الصَّلَاةُ يَا عُقْبَةُ فَقَالَ شُغِلْنَا قَالَ أَمَا سَمِعْتَ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ لَا تَزَالُ أُمَّتِي بِخَيْرٍ أَوْ قَالَ عَلَى الْفِطْرَةِ مَا لَمْ يُؤَخِّرُوا الْمَغْرِبَ إِلَى أَنْ تَشْتَبِكَ النُّجُومُ

Marthad ibn 'Abdillaah related that when Aboo Ayyoob came to us during a military campaign while 'Uqbah ibn 'Aamir was the governor of Egypt and he delayed the Maghrib Prayer, Aboo Ayyoob got up and went to him and said, "What is this prayer, O 'Uqbah?" He replied, "We were distracted." He said, "Haven't you heard Allaah's Messenger (ﷺ) say, '*My nation will remain well as long as they don't delay the Maghrib until the stars appear?*'"

Consequently, the breaking of the fast should be according to the Sunnah, with a few dates and water, and not a full meal which causes people to delay Maghrib prayer until the beginning of 'Ishaa. The time for Maghrib prayer is the shortest of all the prayers, therefore great care must be taken to make it during its prescribed time. Furthermore, by breaking the fast lightly and delaying

**[617]** – وللتِّرْمِذيِّ مِنْ حَديثِ أبي هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ عَنِ النَّبيِّ ﷺ قَالَ :"قَالَ اللهُ عَزَّ وَجَلَّ : (( **أحَبُّ عِبَادِي إليَّ أعْجَلُهُمْ فِطْراً** )).

**[10] -** At-Tirmi<u>th</u>ee has this from the narration of Aboo Hurayrah that the Prophet (ﷺ) stated that, ***"Allaah, Who is Great and Glorious, has said, 'Those of My servants who are quickest in breaking their fast are dearest to Me.'"***[10]

This *<u>h</u>adeeth* is evidence that breaking the fast early is more beloved to Allaah, Most High, than delaying it, and that continuing the fast until the early morning is not better than breaking the fast early. Or, the intent behind the phrase "My servants," are those who plan to break their fasts and not those who intended to continue until the dawn. Allaah's Messenger (ﷺ) is outside the generalization in this *<u>h</u>adeeth* based on his clear statement that he was not like them, as will come. He was the most beloved of those who fast to Allaah, Most High, even though he was not the quickest among them to break his fast because he was given permission to fast continually for days at a time.

**[618]** – وَعَنْ أنَسِ بْنِ مَالكٍ رَضِيَ اللهُ عَنْهُ قَالَ : قَالَ رَسُولُ اللهِ ﷺ : (( **تَسَحَّرُوا فَإنَّ فِي السَّحُورِ بَرَكَةً** )). مُتَّفَقٌ عَلَيْهِ .

**[11] -** Anas ibn Maalik stated that Allaah's messenger (ﷺ) said, ***"Take a meal a little before dawn, for there is blessing in taking a meal at that time."***

Collected by al-Bukhaaree and Muslim.[11]

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the meal, the lessons in self control learned during the daylight hours of the fast are practically implemented.

[10] It is in *<u>S</u>a<u>h</u>ee<u>h</u> Sunan at-Tirmi<u>th</u>ee,* vol.1, p.214, no.563.

[11] *<u>S</u>a<u>h</u>i<u>h</u> Al-Bukhari,* vol.3, p.80, no.146 and *<u>S</u>a<u>h</u>i<u>h</u> Muslim,* vol.2, p.533, no.2412.

Ahmad’s collection had the addition:

عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ السُّحُورُ أَكْلَةٌ بَرَكَةٌ فَلَا تَدَعُوهُ وَلَوْ أَنْ يَجْرَعَ أَحَدُكُمْ جَرْعَةً مِنْ مَاءٍ فَإِنَّ اللَّهَ وَمَلَائِكَتَهُ يُصَلُّونَ عَلَى الْمُتَسَحِّرِينَ

Aboo Sa‘eed al-Khudree quoted Allaah’s Messenger (ﷺ) as saying, “*The early morning meal is a blessed meal, so do not neglect it, even if one of you only swallows a mouthful of water, for the angels pray for those who take the early meal.*”[12]

The obvious meaning of this command indicates that the early morning meal is an obligation. However, it was shifted to a recommendation by what is confirmed from the Prophet (ﷺ) and his companions that they did continual twenty-four hour fasts (*wisaal*). Further discussion will come in the ruling on *wisaal* fasts. Ibn al-Munthir narrated a consensus among scholars that *suhoor* was recommended.

The blessing referred to in the *hadeeth* is following the *Sunnah* and being contrary to the People of the Scripture as indicated in Imaam Muslim’s *hadeeth* from the Prophet (ﷺ) in which he said:

عَنْ عَمْرِو بْنِ الْعَاصِ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ فَصْلُ مَا بَيْنَ صِيَامِنَا وَصِيَامِ أَهْلِ الْكِتَابِ أَكْلَةُ السَّحَرِ

‘Amr ibn al-‘Aas related that Allaah’s Messenger (ﷺ) said, “*The distinction between our fast and that of the People of the Scripture is the early morning meal.*”[13]

Also it gives the fasting person strength for acts of worship and additional vigor, as well as being a cause for giving charity to those who beg at that time.

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[12] *Musnad Ahmad,* CD no. 10969.

[13] *Sahih Muslim,* vol.2, p.533, no. 2413, Kitaab: Siyaam; Baab: Fadl as suhoor

**[619] - وعَنْ سُلَيْمَانَ بْنِ عَامِرٍ الضَّبِّيِّ عَنِ النَّبِيِّ ﷺ قَالَ : "إِذَا أَفْطَرَ أَحَدُكُمْ فَلْيُفْطِرْ عَلَى تَمْرٍ، فَإِنْ لَمْ يَجِدْ فَلْيُفْطِرْ عَلَى مَاءٍ، فَإِنَّهُ طَهُورٌ"** رَوَاهُ الخَمْسَةُ ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وابْنُ حِبَّانَ وَالحَاكِمُ .

**[12] -** Sulaymaan ibn ‘Aamir a<u>d</u>-<u>D</u>abbee narrated that the Prophet (ﷺ) said, **“*When one of you breaks his fast, he should do so with dates; but if he cannot get any, he should break his fast with water, for it is purifying.*”**

Collected by the five and declared sound by Ibn Khuzaymah, Ibn Hibbaan and al-Haakim.[14]

This *<u>h</u>adeeth* is narrated from ‘Imraan ibn <u>H</u>u<u>s</u>ayn with a defect in it, and from Anas and collected by at-Tirmi<u>th</u>ee and al-<u>H</u>aakim authenticated it, and at-Tirmi<u>th</u>ee, an-Nasaa’ee and others narrated it from Anas as a practice of the Prophet (ﷺ) saying:

عَنْ أَنَسِ بْنِ مَالِك قَالَ كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُفْطِرُ قَبْلَ أَنْ يُصَلِّيَ عَلَى رُطَبَاتٍ فَإِنْ لَمْ تَكُنْ رُطَبَاتٌ فَتُمَيْرَاتٌ فَإِنْ لَمْ تَكُنْ تُمَيْرَاتٌ حَسَا حَسَوَاتٍ مِنْ مَاءٍ

Anas ibn Maalik related that the Prophet used to break his fast before praying with fresh dates. If it was not with fresh dates, he would do so with a few dried dates. If not with a few dried dates, he would swallow some mouthfuls of water.[15]

There are narrations which indicate that the number of dates were three.

The *<u>h</u>adeeth* indicates that breaking fast with what was mentioned is the *Sunnah*. Ibn al-Qayyim said, “This is from the fullness of the Prophet’s compassion and pity on his nation and his good advice, because giving nature something sweet on an empty stomach makes it more acceptable, and more beneficial to the body’s powers, especially the power of sight which is strengthened by it. As for water, the liver develops a kind of dryness, and if it is

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[14] *Sunan Abu Dawud,* vol.2, p. 646, no. 2348 and rated inauthentic in *<u>D</u>a‘eef Sunan Abee Daawood,* vol.1, p. 234, no. 509.

[15] *Sunan Abu Dawud,* vol.3, p.646, no.2349, Kitaab: Sawm, Baab: Maa yuftir bihee and authenticated in Saheeh Sunan Abu Dawood, vol.2, p.59, no.2356

moistened with water, its benefit from food following it becomes complete. Along with what special characteristics dried dates and water have in repairing the heart, known only to the doctors of the heart.”

**[620]** – وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ تَعالَى عَنْهُ قَالَ : نَهى رَسُولُ اللهِ ﷺ عَنِ الوِصَالِ، فَقَالَ رَجُلٌ مِنَ المُسْلِمِينَ : فَإِنَّكَ تُوَاصِلُ يا رَسُولَ اللهِ ؟ فَقَالَ : **"وَأَيُّكُمْ مِثْلِي ؟ إِنِّي أَبِيتُ يُطْعِمُنِي رَبِّي وَيَسْقِينِي"** فَلَمَّا أَبَوْا أَنْ يَنْتَهُوا عَنِ الوِصَالِ وَاصَلَ بِهِمْ يَوْماً، ثُمَّ يَوْماً، ثُمَّ رَأَوُا الهِلالَ، فَقالَ : "لَوْ تَأَخَّرَ الهِلالُ لَزِدْتُكُمْ" كالمُنَكِّلِ، لَهُمْ حِينَ أَبَوْا أَنْ يَنْتَهُوا. مُتَّفَقٌ عَلَيْهِ .

**[13] -** Aboo Hurayrah related that Allaah's Messenger (ﷺ) forbade uninterrupted fasting. A man among the Muslims said, "O Messenger of Allaah! But you fast uninterruptedly." Allaah's Messenger, (ﷺ) replied, "***Which of you is like me? During the night my Lord gives me food and drink.***" When they refused to stop the uninterrupted fasting, he observed an uninterrupted fast along with them for two days, and then they saw the new moon. He then said, "***If the new moon had not appeared, I would have made you fast more (in this way).***" He (ﷺ) behaved as one who wanted to punish them when they refused to stop.

Collected by al-Bukhaaree and Muslim.[1]

This *hadeeth* is collected by both al-Bukhaaree and Muslim from Aboo Hurayrah, Ibn 'Umar, 'Aa'ishah and Anas, and alone by al-Bukhaaree[2] from Aboo Sa'eed, and it is evidence for the prohibition of continual fasting (*wisaal*) because it is the basic meaning of a command to abstain from doing an act (*nahy*). However, continual fasting until the early morning (*sahr*) was permitted in the *hadeeth* of Aboo Sa'eed

[1] *Sahih Al-Bukhari,* vol.3, p.106, no.186 and *Sahih Muslim*, vol.2, p.536, no.2429.

[2] The printed text mentions Muslim as the lone collector.

عَنْ أَبِي سَعِيدٍ رَضِيَ اللَّهُ عَنْهُ أَنَّهُ سَمِعَ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ لَا تُوَاصِلُوا فَأَيُّكُمْ إِذَا أَرَادَ أَنْ يُوَاصِلَ فَلْيُوَاصِلْ حَتَّى السَّحَرِ قَالُوا فَإِنَّكَ تُوَاصِلُ يَا رَسُولَ اللَّهِ قَالَ إِنِّي لَسْتُ كَهَيْئَتِكُمْ إِنِّي أَبِيتُ لِي مُطْعِمٌ يُطْعِمُنِي وَسَاقٍ يَسْقِينِ

Aboo Sa'eed related that he heard the Prophet (ﷺ) say, "*Don't make uninterrupted fasts. If any of you wishes to fast continually, he should do so until the early morning.*"[3]

This *hadeeth* of Aboo Sa'eed contains evidence that fasting through part of the night is considered *wisaal*. It refutes those who claim that the night is not the place for fasting and therefore it would not be valid to make one's intention at night.

The main *hadeeth* also indicates that continual uninterrupted fasting is among the unique practices of the Prophet (ﷺ). Scholars differed with regard to others doing it. Some held that it was absolutely forbidden. Others held that it was forbidden for those who found it very difficult and permissible for those who did not. The first opinion of absolute prohibition was that of the majority. Those who held it permissible used as evidence the fact that the Prophet (ﷺ) continued along with them. For, if his prohibition meant that it were *haraam*, he would not have affirmed their practice. Instead, it indicates that it was disliked as a mercy for them and a lightening of responsibility on them. Aboo Dawood also collected the following narration:

عَنْ عَبْدِ الرَّحْمَنِ بْنِ أَبِي لَيْلَى حَدَّثَنِي رَجُلٌ مِنْ أَصْحَابِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنْ الْحِجَامَةِ وَالْمُوَاصَلَةِ وَلَمْ يُحَرِّمْهُمَا إِبْقَاءً عَلَى أَصْحَابِهِ

'Abdur-Rahmaan ibn Abee Laylah narrated that one of the Prophet's companions informed him that Allaah's Messenger (ﷺ) prohibited cupping and uninterrupted fasting, but did not do so permanently for his companions.[4] Its chain of narrators is sound and al-Bazzaar and at-Tabaraanee in *al-Awsat* collected from Samurah a *hadeeth* in which he said that the Prophet (ﷺ):

[3] *Sahih Al-Bukhari*, vol.3, p.105, no.184 Kitaab: Sawm, Baab: al wisaal, wa man qaala laysa fil layl sawm.

[4] *Sunan Abu Dawud*, vol.2, p.651, no.2368 Kitaab: Sawm; Baab: Rukhsah fee thaalika and authenticated in Saheeh Sunan Abu Dawood, vol.2, p.62, no.2372,

(( نَهَى النَّبِيُّ عَنْ الْوِصَالِ وَلَيْسَ بِالْعَزِيمَةِ )).

"Prohibited uninterrupted fasting but not strictly."

Evidence can also be found in the fact that the companions also did uninterrupted fasting. Ibn Abee Shaybah collected with a sound chain of narrators that Ibn az-Zubayr used to fast continually for fifteen days. He also mentioned that a group of other companions used to do the same. If they had understood that uninterrupted fasting was *haraam* they certainly would not have done it. Also indicating its permissibility is a narration from the Prophet (ﷺ) collected by Ibn as-Sakan in which he said,

(( إِنَّ اللهَ لَمْ يَكْتُبْ الصِّيَامَ بِاللَّيْلِ فَمَنْ شَاءَ فَلْيَتْبَعنِي وَلاَ أَجْرَ لَهُ )).

"*Indeed, Allaah did not ordain fasting at night. So whoever wishes can follow me, but he will not have any reward.*"

They further stated that giving the reason that it was among the practices of the Christians does not necessitate it being *haraam*.

The majority excused the fact that the Prophet continued fasting with his companions by stating that it was a punishment/recompense for them and that it may have been permissible for the benefit of emphasizing his discouragement, because if they actually did it, the wisdom behind its prohibition would be come obvious to them. So that made [his prohibition] more easily acceptable due to the consequence of weariness in worship and deficiency in what is more important than the ritual religious assignments.

The Prophet's statement, ***"Which of you is like me?"*** is a rhetorical question containing a reprimand. It means, "Which of you has my characteristics and my status with my Lord?"

The scholars differed regarding his statement, ***"During the night my Lord gives me food and drink."*** Some held that it was to be taken literally, that he was fed and given drink by Allaah. However, others replied that if that was literally the case, he was not fasting uninterruptedly. My reply to their objection is that what is from the food of Paradise is a means of honour and does not contradict responsibility and would not have the same ruling as food of this world. Ibn al-Qayyim said, "What is intended is the knowledge which Allaah feeds him and the sweetness which is poured on his heart as a result of his communication with his Lord, the pleasure his eyes witness from closeness to Allaah, his enjoyment from

his love of Him and his desire to meet Him, and the results of that from the states which are the food of the heart and pleasure of the souls, gratification of the eyes, spiritual bliss. It is the greatest and best and most beneficial nourishment for the heart and soul and could become so strong that it replaces the need for physical nourishment for a period of time, as mentioned in the following stanza of poetry:

*They have stories which commemorate you that distract them*

*From drinking and entertain them from [thinking about their] provision*

One who has a minimum amount of understanding or desire is aware of the body's lack of need for physical food when the heart and soul are nourished, especially for one who is happy or delighted, who has achieved what he sought, whose eyes are pleased to see what he loves, and [whose soul is] thrilled to be in close proximity to what it loves and is happy with." He mentioned this meaning and chose this opinion regarding feeding and providing drink.

As regards continual fasting until the early morning, the Prophet (ﷺ) permitted it as mentioned in the *hadeeth* of al-Bukhaaree from Aboo Sa'eed that he heard the Prophet (ﷺ) say, "*Don't make uninterrupted fasts. If any of you wishes to fast continually, he should do so until the early morning.*"

The following *hadeeth* of 'Umar narrated from the Prophet (ﷺ) and found in the authentic collections of al-Bukhaaree and Muslim seems to contradict uninterrupted fasting or continual fasting until the early morning:

عَنْ عُمَرَ بْنِ الْخَطَّابِ رَضِيَ اللَّهُ عَنْهُ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا أَقْبَلَ اللَّيْلُ مِنْ هَا هُنَا وَأَدْبَرَ النَّهَارُ مِنْ هَا هُنَا وَغَرَبَتْ الشَّمْسُ فَقَدْ أَفْطَرَ الصَّائِمُ

'Umar ibn al-Khattaab quoted Allaah's Messenger (ﷺ) as saying, "*If the night approaches from here and the day leaves from here, and the sun sets, the fasting person has broken his fast.*"[5]

However, this narration does not contradict these practices because what is meant by "breaking the fast" here is the entrance of the time for breaking the fast, not that he literally breaks his fast, as has been claimed [by some]. If he actually broke his fast, neither encouragement for hastening to break the fast nor prohibition from uninterrupted fasting would have been necessary, nor would the permission for continued fasting until the early morning have any meaning.

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[5] *Sahih Al-Bukhari*, vol.3, p.100, no.175, Kitaab: sawm, Baab: mataa yahillu fatr as saa'im and *Sahih Muslim*, vol.2. Kitaab: siyaam; Baab: bayaan waqt inqidaa as sawm wa khurooj an nahaar

**[621] - وَعَنْهُ رَضِيَ اللهُ عَنْهُ قَالَ : قالَ رَسُولُ اللهِ ﷺ: "مَنْ لَمْ يَدَعْ قَوْلَ الزُّورِ والعَمَلِ بِهِ والجَهْلَ، فَلَيْسَ لله حاجَةٌ في أنْ يَدَعَ طعامَهُ وَشَرابَهُ"**

رَوَاهُ البُخاريُّ وَأبُو دَاوُدَ، واللَّفْظُ لَهُ .

**[14] -** Aboo Hurayrah reported that Allaah's Messenger (ﷺ) said, ***"If one does not abandon false statements and acts, and foolishness; Allaah has no need that he should abandon food and drink."***

Collected by al-Bukhaaree and Aboo Daawood; the wording is the latter's.[6]

This *hadeeth* is evidence for the prohibition of lying and acts based on lies and foolish behavior for a fasting person, both of which are prohibited on those who are not fasting also. Except that their prohibition for the fasting person is more emphatic, like the prohibition of adultery on the old man and pride on the poor.

The intended meaning of **"Allaah has no need,"** is that He has no wish (for such a fast). It demonstrates the seriousness of committing these acts and that such a person's fast is equivalent to no fast at all. Ibn Battaal mentioned that the literal meaning of this phrase has no relevance here because Allaah has no need for anyone or anything. He is free of all need, may He be glorified. It was also said that it was a metaphor indicating non-acceptance, like when an angry person returns something to someone saying, 'I have no need for this.' Others said that it meant that the reward for the fast becomes nothing in the scale in comparison to the punishment he deserves for doing what was mentioned. The following is also mentioned in another *hadeeth*

عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ رِوَايَةً قَالَ إِذَا أَصْبَحَ أَحَدُكُمْ يَوْمًا صَائِمًا فَلَا يَرْفُثْ وَلَا يَجْهَلْ فَإِنْ امْرُؤٌ شَاتَمَهُ أَوْ قَاتَلَهُ فَلْيَقُلْ إِنِّي صَائِمٌ إِنِّي صَائِمٌ

Aboo Huryarah narrated from the Prophet (ﷺ) that he said, "*If any of you ends up fasting one day, he should avoid lewdness and foolishness. And if a man curses him or fights with him, let him tell him, 'I am fasting. I am fasting.'*"[7]

Thus, one should neither begin cursing others nor respond to the curses of others.

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[6] *Sahih Al-Bukhari,* vol.3, pp.70-1, no.127 and *Sunan Abu Dawud,* vol.2, p.648, no.2355.

[7] *Sahih Al Bukhari*, vol. 3, p. 71, no. 128.

**[622]** - وَعَنْ عائِشَةَ رضي الله عنها قَالتْ : كانَ النَّبيُّ ﷺ يُقَبِّلُ وَهُوَ صَائِمٌ، وَيُبَاشِرُ وهُوَ صائِمٌ، ولكِنَّهُ كَانَ أَمْلَكَكُمْ لإِرْبِهِ . مُتَّفقٌ عَلَيْهِ، واللَّفْظُ لَمُسْلِمٍ، وَزَادَ في رِوَايةٍ : في رَمَضَانَ .

**[15] -** 'Aa'ishah stated, "***The Prophet (ﷺ) used to kiss and fondle [us] while he was fasting; But he had more control over his desires than any of you***."

Collected by al-Bukhaaree and Muslim. The wording is Muslim's. He added, in another version, "***In Ramadaan.***"[8]

Scholars held that this *hadeeth* meant that people should avoid kissing and not imagine that they are similar to the Prophet (ﷺ) for whom it was permissible, because he was in control of himself and was safe from a kiss causing ejaculation, or sexual desire, or overwhelming emotions, and similar reactions, while most people are not safe from that. So, for them, the way [to handle this matter] is to restrain oneself from that. In an-Nasaa'ee's[9] narration by way of al-Aswad:

عَنْ الْأَسْوَدِ بْنِ يَزِيدَ قَالَ قُلْتُ لِعَائِشَةَ أَيُبَاشِرُ الصَّائِمُ يَعْنِي امْرَأَتَهُ قَالَتْ لَا قُلْتُ أَلَيْسَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَدْ كَانَ يُبَاشِرُ وَهُوَ صَائِمٌ قَالَتْ كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَمْلَكَكُمْ لِإِرْبِهِ

[8] *Sahih Al-Bukhari*, vo.3, p.82, no.149 and *Sahih Muslim*, vol.2, p.538, no.2439.

[9] The narration mentioned by the author was not found in an-Nasaa'ee but in *Musnad Ahmad*, CD no. 23817. A similar narration can also be found in *Sahih Muslim*, vol.2, p.537, no.2438. Kitaab: siyaam; Baab: bayaan annal qublah fis sawm laysat muharramah

عَنْ الْأَسْوَدِ قَالَ انْطَلَقْتُ أَنَا وَمَسْرُوقٌ إِلَى عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا فَقُلْنَا لَهَا أَكَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُبَاشِرُ وَهُوَ صَائِمٌ قَالَتْ نَعَمْ وَلَكِنَّهُ كَانَ أَمْلَكَكُمْ لِإِرْبِهِ

Al-Aswad said: Masrooq and I went to 'Aa'ishah and we asked her, 'Did Allaah's Messenger (ﷺ) fondle [his wives] while fasting?' She replied, 'Yes. But he had the more control over his desires than any of you.' "

Al-Aswad ibn Yazeed said, “I asked ‘Aa’ishah, ‘Can a fasting person fondle his wife?’ She replied, ‘No.’ I asked, ‘Didn’t Allaah’s Messenger (ﷺ) fondle [his wives] while fasting?’ She replied, ‘Allaah’s Messenger (ﷺ) had more control over his desires than any of you.’”

The obvious meaning of this narration is that ‘Aa’ishah believed that [the concession of fondling] was special for the Prophet (ﷺ). Al-Qurtubee said, “It was her *ijtihaad*.” Others said that the obvious meaning was that she considered kissing disliked (*makrooh*) for others besides the Prophet (ﷺ), strongly disliked (*kiraahat tanzeeh*) and not prohibited as indicated by her statement, **“He had more control of his desires than any of you.” [**There is a narration] in *Kitaab as-Siyaam* of Aboo Yoosuf al-Qaadee by way of Hammaad ibn Salamah, [in which he said,] “I asked ‘Aa’ishah about a fasting person fondling his wife and she disliked it.”

The obvious meaning of the main *hadeeth* indicates the permissibility for a fasting person to kiss and fondle [his wife] due to the evidence of following the Prophet (ﷺ) and because ‘Aa’ishah mentioned the narration in response to one who asked about kissing while fasting and her answer rules permissibility based on what the Prophet (ﷺ) did. There are other opinions concerning this issue.

**The first** is that of the Maalikites who held that it is generally disliked.

**The second** is that it is *haraam* based on the Almighty’s statement:

فَالآنَ بَاشِرُوهُنَّ

**“Now you may have direct sexual contact,”** as it prohibits direct sexual contact during the daylight hours. My reply is that the contact mentioned in the verse is sexual intercourse and the Prophet’s actions have clarified that as indicated by the main *hadeeth*. Some said that kissing was forbidden and that one who did so invalidated his fast.

**The third** is that it is permissible (*mubaah*) and some of the Zaahirites held that it was recommended (*mustahabb*).

**The fourth** distinguished saying that it was disliked for youths and permissible for older men. That was narrated from Ibn ‘Abbaas whose evidence was the following incident collected by Aboo Daawood

عَنْ أَبِي هُرَيْرَةَ أَنَّ رَجُلًا سَأَلَ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنْ الْمُبَاشَرَةِ لِلصَّائِمِ فَرَخَّصَ لَهُ وَأَتَاهُ آخَرُ فَسَأَلَهُ فَنَهَاهُ فَإِذَا الَّذِي رَخَّصَ لَهُ شَيْخٌ وَالَّذِي نَهَاهُ شَابٌّ

Aboo Hurayrah related that a man asked the Prophet (ﷺ) about a fasting person fondling [his wife] and he allowed it for him. Another asked him and he forbade it. The one who he permitted was an old man and the one he forbade was a young man.[10]

**The fifth** was that it was permissible for one who was in control of himself, otherwise it was not permissible. This opinion was narrated from ash-Shaafi‘ee and he used ‘Umar ibn Abee Salamah's *hadeeth* as evidence

عَنْ عُمَرَ بْنِ أَبِي سَلَمَةَ أَنَّهُ سَأَلَ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَيُقَبِّلُ الصَّائِمُ فَقَالَ لَهُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ سَلْ هَذِهِ لِأُمِّ سَلَمَةَ فَأَخْبَرَتْهُ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَصْنَعُ ذَلِكَ فَقَالَ يَا رَسُولَ اللَّهِ قَدْ غَفَرَ اللَّهُ لَكَ مَا تَقَدَّمَ مِنْ ذَنْبِكَ وَمَا تَأَخَّرَ فَقَالَ لَهُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَمَا وَاللَّهِ إِنِّي لَأَتْقَاكُمْ لِلَّهِ وَأَخْشَاكُمْ لَهُ

‘Umar ibn Abee Salamah related that he asked Allaah's Messenger (ﷺ): "Can a fasting person kiss?" The Messenger of Allaah replied, "Ask Umm Salamah that." She told him that Allaah's Messenger (ﷺ) used to do that, so he said, "O Messenger of Allaah! Allaah has forgiven your future and past sins." Allaah's Messenger replied, "By Allaah! I am more conscious of Allaah and fear him more than any of you."[11]

This indicated that there was no difference between a young man and an old man, otherwise the Prophet (ﷺ) would have clarified it to ‘Umar, especially since ‘Umar was at the beginning of puberty.

It is clear from the above that permissibility is the strongest opinion and that is supported by ‘Umar ibn al-Khattaab's *hadeeth* collected by Ahmad and Aboo Daawood:

عَنْ عُمَرَ بْنِ الْخَطَّابِ رَضِيَ اللَّهُ عَنْهُ قَالَ هَشَشْتُ يَوْمًا فَقَبَّلْتُ وَأَنَا صَائِمٌ فَأَتَيْتُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقُلْتُ صَنَعْتُ الْيَوْمَ أَمْرًا عَظِيمًا فَقَبَّلْتُ وَأَنَا صَائِمٌ فَقَالَ رَسُولُ

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[10] *Sunan Abu Dawud,* vol.2, p.654, no.2381 Kitaab: sawm; Baab: Kiraahiyatuhu lish shaab and authenticated in Saheeh Sunan Abu Dawood, vol.2, p.65, no.2387

[11] *Sahih Muslim,* vol.2, p.538, no.2450, Kitaab: Sawm; Baab: bayaan anna al qublah fis sawn laysat muharramah

اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَرَأَيْتَ لَوْ تَمَضْمَضْتَ بِمَاءٍ وَأَنْتَ صَائِمٌ قُلْتُ لَا بَأْسَ بِذَلِكَ فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَفِيمَ

'Umar ibn al-Khattaab said, "I felt desire one day and kissed [my wife] while fasting. So I went to the Prophet (ﷺ) and said, "I have done a grave act today! I kissed while fasting." Allaah's Messenger (ﷺ) replied, "Do you know [the ruling] if you gargled with water while fasting?" I replied, "There is nothing wrong with it." Allaah's Messenger (ﷺ) said, "Likewise."[12]

The [scholars] differed also regarding if as a result of kissing, gazing or fondling, fluid was ejaculated or emitted. Ash-Shaafi'ee and others were of the opinion that he must make up the day if he ejaculated due to other than looking, and that there was no need to make up [the day] if prostatic fluid was emitted. Maalik was of the opinion that he must make up the day and expiate (*kaffaarah*) for all of those cases, except in the case of prostatic fluid, he only has to make up the day. And there were other differences, the most distinct being that no day needs to be made up and no expiation is required except in the case of sexual intercourse.

**Point of Note:** Her statement **"While he was fasting,"** is not evidence that he kissed her while she was fasting. Ibn Hibbaan collected in his authentic collection from 'Aa'ishah the following narration:

كَانَ يُقَبِّلُ بَعْضَ نِسَائِهِ فِي الْفَرِيضَةِ وَالتَّطَوُّعِ

"He used to kiss some of his wives during compulsory and voluntary fasts…"

Then he mentioned the following narration using the same chain

أَنَّ النَّبِيَّ لاَ يَمَسُّ وَجْهَهَا وَهِيَ صَائِمَةٌ

"That the Prophet didn't touch her face while she was fasting."[13]

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[12] *Musnad Ahmad,* CD no. 132, and *Sunan Abu Dawud,* vol.2, p.653, no.2379 , Kitaab: sawm ; Baab: al qublah lis saa'im, and authenticated in Saheeh Sunan Abu Dawood, vol.2, p.64, no.2385,

[13] *Silsilah al-Ahaadeeth ad-Da'eefah,* no. 962. Shaykh Naasir mentioned 9 authentic narrations confirming that the Prophet (ﷺ) kissed 'Aa'ishah while she was fasting (See *Irwaa al-Ghaleel,* vol. 4, pp. 82-4).

And he mentioned that there was not any contradiction between the two narrations because he used to control his desire and he informed with his action that this was permissible for one who was in a state similar to his and that he would not do so if the woman was fasting based on his knowledge about female weakness in some things they face.

**[623]** - وَعَنِ ابْنِ عَبَّاسٍ رَضِي اللهُ تَعَالى عَنْهُمَا، أنَّ النَّبِيَّ ﷺ احْتَجَمَ وَهُوَ مُحْرِمٌ، واحْتَجمَ وَهُوَ صائِمٌ. رَوَاهُ البُخَارِيُّ .

**[16]** - Ibn ‘Abbaas related that the Prophet (ﷺ) had himself cupped[14] when he was wearing the *Ihraam* (during pilgrimage) and also when he was fasting.

Collected by al-Bukhaaree.[15]

It is said that its obvious meaning is that both acts mentioned occurred on different occasions. He was cupped while he was fasting and also while he was in *ihram*, but they did not occur at the same time because he was not fasting while in *ihraam* and that was during the farewell pilgrimage and not in Ramadaan nor was he in *ihraam* during his journey during Ramadaan, in the Year of the Conquest of Makkah, nor in any of his ‘Umrahs, though it is possible that he was doing a voluntary fast, except that that was unknown, and the *hadeeth* has a number of chains. Ahmad said that the companions of Ibn ‘Abbaas did not mention “fasting”. Aboo Haatim said that Shurayk made a mistake, instead he was cupped and gave the cupper his wage and Shurayk narrated it from his memory which was bad. Based on that, what is certain is the cupping.

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عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا قَالَتْ كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُقَبِّلُنِي وَهُوَ صَائِمٌ وَأَنَا صَائِمَةٌ

‘Aa’ishah said, “Allaah’s Messenger (ﷺ) used to kiss me while he and I were fasting.” (*Sunan Abu Dawud*, vol.2, p.653, no.2378, and authenticated in Saheeh Sunan Abu Dawood, vol.2, p.64, no.2384, Kitaab:sawm, Baab: qublah lis saa’im)

[14] Extraction of blood using a vacuum cup.

[15] *Sahih Al-Bukhari*, vol.3, p.91, no.159.

The *hadeeth* could be informing about each sentence separately and that the intent is that he was cupped while in *ihraam* at one time and was cupped while fasting at another time, and the contextual evidence supports the understanding that his *ihraam* and fasting did not occur at the same time. As for declaring Shurayk in error in including the fasting phrase, it is highly unlikely. It is more appropriate to assume the correctness of the statement of his narration while reconciling it.

The [scholars] differed concerning one who is cupped while fasting. The majority of leading scholars held that it does not break the fast and that it abrogated the following *hadeeth* of Shaddaad ibn Aws.

**[624]** - وَعَنْ شَدَّادِ بْنِ أَوْسٍ أَنَّ النَّبِيَّ ﷺ أَتَى عَلى رَجُلٍ بِالبَقِيعِ وَهُوَ يَحْتَجِمُ فِي رَمَضَانَ. فَقالَ: "**أَفْطَرَ الحَاجِمُ والمَحْجُومُ**" رَوَاهُ الخَمْسَةُ إلا التِّرْمذِيُّ، وَصَحَّحَهُ أَحْمَدُ وابْنُ خُزَيْمَةَ وابْنُ حِبَّانَ .

**[17] -** Shaddaad ibn Aws reported that the Prophet (ﷺ) came across a man who was being cupped in the Baqee‘ graveyard during Ramadaan and said, **"*The one who cups and the one who is cupped have broken their fast.*"**

Collected by the five, excluding at-Tirmithee; Ahmad, Ibn Khuzaymah and Ibn Hibbaan declared it sound.[16]

**[625]** - وَعَنْ أَنَسِ بْنِ مَالكٍ قَالَ : أَوَّلُ مَا كُرِهَتْ الحِجَامَةُ للصَّائِمِ : أَنَّ جَعْفَرَ بْنَ أَبِي طَالِبٍ احْتَجَمَ وَهُوَ صَائِمٌ، فَمَرَّ بِهِ النَّبِيُّ ﷺ فَقَالَ :"**أفْطَر**

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[16] *Sunan Abu Dawud,* vol.2, p.650, no.2363 and authenticated in *Saheeh Sunan Abee Daawood,* vol.2, p.451, no.2076.

**هذَانِ**" ثُمَّ رَخَّصَ النَّبِيُّ ﷺ بَعْدُ فِي الحِجامَةِ لِلصَّائِمِ، وكان أَنَسٌ يَحْتَجِمُ وَهُوَ صَائِمٌ. رَوَاهُ الدَّارَقُطْنِيُّ وَقَوَّاهُ .

**[18] -** Anas ibn Maalik narrated that the first time that cupping was prohibited for one who is fasting was when Ja‘far ibn Abee-T̲aalib had himself cupped when he was fasting and the Prophet (ﷺ) came across him and said, **“*These both have broken their fast.*”** Afterwards, the Prophet (ﷺ) allowed cupping for one who is fasting. Anas used to have himself cupped when he was fasting.

Collected by Daaraqutnee who declared it sound. [17]

**[626]** - وَعَنْ عَائِشَةَ رَضِيَ اللهُ تَعَالى عَنْهَا، أَنَّ النَّبِيَّ ﷺ اكْتَحَلَ فِي رَمَضَانَ، وَهُوَ صَائِمٌ. رَواهُ ابْنُ مَاجَهْ بِإِسْنَادٍ ضَعِيفٍ.

وَقَالَ التِّرمِذِيُّ : لا يَصِحُّ فِي هذَا البابِ شَيْءٌ .

**[19] -** ‘Aa’ishah said that the Prophet (ﷺ) applied *kuh̲l* (collyrium) in Ramad̲aan when he was fasting.

Collected by Ibn Maajah through a weak chain of narrators. At-Tirmit̲h̲ee said, ‘Nothing on this subject is sound.’[18]

The people of knowledge differed concerning the use of *kuh̲l* by a fasting person. Some of them disliked it, which was the opinion of Sufyaan, Ibn al-Mubaarak, Ah̲mad, and Is’h̲aaq, while others permitted its use, which was the opinion of ash-Shaafi‘ee. Ibn Shubrumah and Ibn Abee Laylaa differed from these opinions and held that it breaks the fast based on the Prophet’s statement:

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[17] It is authenticated in *Irwaa al-Ghaleel,* vol. 4, pp. 72-3, no. 931.

[18] *S̲ah̲eeh̲ Sunan Ibn Maajah,* vol. 1, p. 280, no. 1360.

اَلْفِطْرُ مِمَّا دَخَلَ وَلَيْسَ مِمَّا خَرَجَ

"*The fast is broken by what enters and not by what exits.*"[19]

And if its taste is found, it has entered. My reply to this is that we do not accept that it has entered because the eye is not entrance. Instead it reached by way of the pores (*masaam*). For a person may rub his feet with *hanzalah* and find its taste in his mouth and it does not break his fast. Furthermore, the *hadeeth* "*The fast is broken by what enters,*" was mentioned *mu'allaq* (suspended) by al-Bukhaaree from Ibn 'Abbaas, and Ibn Abee Shaybah connected it. As for what Aboo Daawood collected from the Prophet (ﷺ) regarding *Athmad* "*The fasting person should avoid it,*" Aboo Daawood related that Yahyaa ibn Ma'een informed him that it was *munkar.*[20]

**[627]** - وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ عَنْه قَالَ : قَالَ رَسُولُ اللهِ ﷺ: **"مَنْ نَسِيَ وَهُوَ صَائِمٌ، فَأَكَلَ أَوْ شَرِبَ، فَلْيُتِمَّ صَوْمَهُ، فَإِنَّما أَطْعَمَهُ اللهُ وَسَقَاهُ"** مُتَّفَقٌ عَلَيْهِ .

**[20] -** Aboo Hurayrah related that Allaah's Messenger (ﷺ) said, **"*Whoever forgets that he is fasting and eats or drinks, should complete his fast, for it is Allaah who has fed him and given him drink.*"**

Collected by al-Bukhaaree and Muslim.[21]

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[19] *Sahih Al Bukhari,* vol.3, p.90, no.32 , Kitaab: Sawm; Baab: hijaamah, qayy lis saa'im

[20] Ibn Taymiyyah (*Haqeeqat as-Siyaam*) and Ibn al-Qayyim (*Zaadul-Ma'aad*) both held that such substances did not break the fast even if they produced a taste in the throat. Al-Bukhaaree mentioned that Anas ibn Maalik, al-Hasan al-Basree and Ibraaheem an-Nakha'ee did not see any harm in the use of *kuhl* by a fasting person. (*Fasting in Ramadaan,* Saleem al-Hilaalee and 'Alee Hasan, pp. 48-9).

[21] *Sahih Al-Bukhari,* vol.3, p.85, no.154 and *Sahih Muslim,* vol.2, p.561, no.2575.

وَلِلْحَاكِمِ " مَنْ أفْطَرَ فِي رَمَضَانَ نَاسِياً فلا قَضَاءَ عَلَيْهِ ولا كَفَّارَةَ" وَهُوَ صَحِيحٌ .

**[21] -** Al-Haakim has, **"*Whoever breaks his fast due to forgetfulness in Ramadaan neither makeup nor expiation is required of him.*"** It is sound.[22]

The phrase, **"*Whoever forgets,*"** includes sexual intercourse. Food and drink were specifically mentioned because they are the majority of cases of forgetfulness according to Ibn Daqeeq al-'Eed. Thus, the *hadeeth* is proof that whoever forgets that he is fasting and eats, drinks or has sexual relations does not break his fast according to what is indicated by the phrase, **"*he should complete his fast,*"** as he is fasting in reality, according to the opinion of the majority, Zayd ibn 'Alee, al-Baaqir, Ahmad ibn 'Eesaa and Imaam Yahyaa. Others held that it does break the fast because abstaining from what breaks the fast is a fundamental pillar (*rukn*) of fasting, so his situation is like one who forgets a fundamental pillar of formal prayer. He is required to redo the prayer, even though he forgot. They interpreted **"*he should complete his fast,*"** to mean that he should complete his abstinence from what breaks the fast. My reply is that the statement, **"Neither makeup nor expiation is required of him,"** is clear in confirming the correctness of his fast and absence of makeup. Ad-Daaraqutnee collected narrations containing the absence of makeup from Aboo Raafi', Sa'eed al-Maqbaree, al-Waleed ib 'Abdir-Rahmaan, 'Ataa ibn Yasaar, all of them from Aboo Hurayrah. And a group of the companions gave this ruling, including 'Alee, Zayd ibn Thaabit, Aboo Hurayrah, Ibn 'Umar according to al-Munthir and Ibn Hazm. Regarding the dropping of making up there are a number of narrations which strengthen each other and make them suitable for use as evidence. As for the use of *qiyaas* (analogy), it is invalid because it is being used in the presence of a clear text. Considering that it is an argument over fundamentals, Ahmad has collected from a freed female slave of some of the female companions that she was with the Prophet (ﷺ) and a bowl of *thareed* was brought and she ate from it, then she remembered that she was fasting. Thul-Yadayn said to her, "Now, after you have eaten your fill?" The Prophet (ﷺ) told her, "*Complete your fast, for it was provision which Allaah brought for you.*" 'Abdur-Razzaaq narrated that a person came to Aboo Hurayrah and said, "I was fasting and I ate." He replied, "No problem." He then said,

[22] It is authenticated in *Irwaa al-Ghaleel,* vol. 4, pp.86-7, no.938.

"Then I went to visit someone and forgot and ate?" Aboo Hurayrah replied, "You are someone not used to fasting."

**[628]** - وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ تَعَالَى عَنْهُ قَالَ : قَالَ رَسُولُ اللهِ ﷺ: **"مَنْ ذَرَعَهُ القَيءُ فلا قَضَاءَ عَلَيْه، وَمنِ اسْتَقَاءَ فَعَلَيْهِ القَضَاءُ"** رَوَاهُ الخَمْسَةُ، وَأَعَلَّهُ أَحْمَدُ، وَقَوَّاهُ الدَّارَقُطْنِيُّ .

**[22] -** Aboo Hurayrah stated that Allaah's Messenger (ﷺ) said, **"*If one has a sudden attack of vomiting (while he is fasting) he is not required to repeat the fast, but he who vomits intentionally must repeat the fast on another day.*"**

Collected by the five; Ahmad declared it defective, but Daaraqutnee declared it sound.[23]

Al-Bukhaaree stated that he did not consider it to be *mahfooz*. It has been narrated from many sources none of which has an authentic chain of narrators and Ahmad labeled it *munkar* saying that it was valueless. Al-Khattaabee said that he meant that it was not *mahfooz* but others said it was authentic according to the conditions of al-Bukhaaree and Muslim.

The *hadeeth* contains evidence that vomit which is involuntary does not break the fast based on his statement, **"*he is not required to repeat the fast,*"** as the non-requirement for repetition is a condition for validity. The attempt at forced vomiting does break the fast even if vomit is not expelled based on his instructions that the fast be repeated. Ibn al-Munthir narrated a consensus of opinion regarding deliberate vomiting breaking the fast. However it has been narrated from Ibn 'Abbaas, Maalik, Rabee'ah, and al-Haadee that vomit does not break the fast at all, unless some of it is swallowed again, in which case it will break the fast. Their evidence is in a narration collected by at-Tirmithee and al-Bayhaqee with a defective chain, "*Three things do not break the fast: vomit, cupping and wet dreams.*" This evidence is responded to by saying that it refers to

[23] *Sunan Abu Dawud,* vol. 2, pp. 652-3, no. 2374 and authenticated in *Saheeh Sunan Abee Daawood,* vol. 2, p. 452, no. 2084.

one overcome by vomit in order to reconcile the evidences and explaining the general according to the specific, considering that the general is not authentic and the specific has a stronger chain of narrators, working with it is more appropriate even if it contradicts the maxim of basic innocence (*baraa'a asliyyah*).

**[629]** - وَعَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضي اللهِ تعالىعنهما، أَنَّ رَسُولَ اللهِ ﷺ خَرَجَ عَامَ الفَتْحِ إلى مَكَّةَ، فِي رَمَضانَ، فَصَامَ حَتَّى بَلَغَ كُراعَ الغَميمِ، فَصَامَ النَّاسُ، ثُمَّ دَعَا بِقَدحٍ مِنْ مَاءٍ فرَفَعَهُ، حَتَّى نَظَرَ النَّاسُ إلَيْه، فَشَرِبَ، ثُمَّ قِيلَ لَهُ بَعْدَ ذلكَ : إنَّ بَعْضَ النَّاسِ قَدْ صَامَ . فَقالَ : "**أُولئكَ العُصَاةُ، أُولئِكَ العُصَاةُ**".

وَفِي لفظ فَقِيلَ لَهُ : إنَّ النَّاسَ قَدْ شَقَّ عَلَيْهِمُ الصِّيَامُ، وإنَّمَا يَنْتَظِرونَ فِيمَا فَعَلْتَ. فَدَعا بِقَدَحٍ مِنْ مَاءٍ بَعْدَ العَصْرِ. فَشَرِبَ. رَوَاهُ مُسْلِمٌ

**[23]** - Jaabir ibn ‘Abdullaah reported that Allaah’s Messenger (ﷺ) went off to Mecca in Ramadaan in the year of the conquest (8AH), and he fasted with the people until he came to Kuraa‘ al-Ghameem[1]. He then called for a cup of water which he raised until the people looked at it, and then he drank. He was told afterwards that some of the people had continued to fast. He said, ***“Those are the disobedient ones; those are the disobedient ones.”***[2]

**[24] -** A wording has, he (ﷺ) was told, “The people have been distressed owing to fasting and they are waiting for what you do.” He then called for a cup of water after the afternoon prayer and drank.

Collected by Muslim.[3]

The *hadeeth* contains proof that the traveler may fast or break his fast, and that he may break his fast even if he has fasted most of the day. Daawood[4] and the

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[1] A valley in front of ‘Asfaan.

[2] *Sahih Muslim*, vol. 2, pp. 543-4, no. 2472.

[3] *Sahih Muslim*, vol. 2, p. 544, no. 2473.

[4] Daawood ibn ‘Alee az-Zaahiri, was born in Kufah in the year 815 CE. His early *Fiqh* studies were under Imaam ash-Shaafi‘ee’s students, but he later inclined towards the study of *Hadeeth* and joined the *Hadeeth* circle of Imaam Ahmad ibn Hambal. He continued to study under Ahmad

Imaamites[5] disagreed with the first option and held that the traveler is not allowed to fast based on the Almighty's statement:

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until he was expelled from Ahmad's classes because he voiced the opinion that the Qur'aan was *Muhdath* (newly existent) and therefore created. After his expulsion, he took an independent path of reasoning based on the obvious and literal meanings (*Zaahir*) or the texts of the Qur'aan and the Sunnah. Because of this approach, his *Madh-hab* was called Zaahiri *Madh-hab* and he became known as Daawood az-Zaahiri.

[5] The Twelver Shi'ites. **Shee'ah** (commonly spelled Shia' or Shi'ites): At the beginning of Yazeed ibn Mu'aawiyah's reign, Husayn, son of the fourth Caliph 'Alee ibn Abee Taalib, rose in revolt against his leadership. 'Alee ibn Abee Taalib's followers in Iraq have invited Husayn to Iraq to lead the revolt, but they later deserted him and caused his death at the hands of Yazeed's soldiers at Karbala (680 CE). In their anguish, many of those who considered themselves to be followers of 'Alee, deviated from the mainstream of Islaam. They became excessive in expressing their love for 'Alee and their hatred for all who opposed him. They declared the first three Caliphs, Abu Bakr, 'Umr and 'Uthmaan to be *Kaafirs* (disbelievers) who had stolen the office of Imaam from 'Alee. All of *Sahaabah* [companions of the Prophet three Caliphs' caliphate and only Salmaan al-Faarisee, Abu Dharr al-Ghifaaree and Miqdaad ibn al-Aswad al-Kindee (some accounts give a few more names) were spared this grave accusation, because they were supposed to have championed 'Alee's right to caliphate on the death of the Prophet (r). To support this claim, *Hadeeths* were invented in which the Prophet (r) made all of his followers and companions swear an oath of allegiance to 'Alee that he would be their leader after the Prophet's (r) death. This incident was supposed by them, to have taken place at *Ghadeer Khum* on the way back to Madeenah from Makkah after the farewell Hajj on the 18th Dhul-Hijaah, 10 A.H. They also claimed that only certain blood descendants of the Prophet Muhammad (r) by way of his cousin 'Alee and the Prophet's daughter. Faatimah, had the right to be the leader (*Imaam*) of all Muslims. They even went so far as to attribute to these descendants, whom they entitled *Imaams,* some of God's unique qualities and elevate them above the Prophets of God. Aayatullah Roohullah Khomenin expressed these beliefs as follows: "The Imaam has an exalted position, and elevated rank and a creational vicegerency (caliphate) to whose sovereignty and dominion all of the atoms of the universe yield and obey. And, among the basic tenets of our *Madh-hab (Shee'ah)* is that the Imaams have a station which can not be attained by either an angel close (to God)[5] or a commissioned Prophet. And furthermore, based on the narrations and *Hadeeths* which we have, the greatest Prophet (Muhammad) (r) and the (Twelve) Imaams existed before this world (was created) as lights which Allaah made encircle His throne."[5] However, in the designation of each new Imaam, new Shi'ite sects emerged among the followers who were displeased and rejected the choice. Hence, historically, there were many Shi'ite sects holding innumerable beliefs. And it should be noted that most of the heretical sects which split off from Islaam had their origins in one or another of the Shi'ite sects. For example, the *Nusayree* sect founded by Muhammad ibn Nusayr who claimed in the year 855 CE that 'Alee was a manifestation of God,[5] the *Druze* sect founded by Muhammad ibn Ismaa'eel ad-Durzee who claimed that the Faatimid Shi'ite Caliph of Egypt, al-Haakim bi

فَعِدَّةٌ مِنْ أَيَّامٍ أُخَر

**"Then a number of other days."** (*Soorah al Baqarah 2:184*)

And the Prophet's statement, "*Those are the disobedient ones,*" and his statement:

(( لَيْسَ مِنْ الْبِرِّ الصَّوْمُ فِي السَّفَرِ)).

"*Fasting while travelling is not a part of righteousness.*"[6]

The majority disagreed with them and held fasting is rewarded based on the Prophet's own action and the fact that the verse does not contain evidence that fasting would not be rewarded. Furthermore, the Prophet's statement, "*Those are the disobedient ones,*" was only due to their contradicting his instruction to break fast, and thus it was specific to them. Also, the *hadeeth* did not contain a command to them to break their fast. It only becomes complete if it is held that the Prophet's action indicates obligation. As regards his statement, "*Fasting while travelling is not a part of righteousness,*" he said that regarding one who found difficulty in fasting. The use of evidence for prohibition of fasting during travel becomes complete for one who finds it difficult. For, the Prophet (ﷺ) broke his fast due to their statement that fasting had become difficult for them. He described those who fasted after that as being disobedient. As for the permissibility of breaking fast after fasting most of the day, the majority held that and ash-Shaafi'ee made it dependent on the authenticity of the *hadeeth.* This was if the traveller intended fasting while travelling. In the case where he begins the fast while being a resident, then travelled during the day of his fast, the majority held

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Amrillah (966-1021 CE) was the last manifestation of God in human form, and the *Bahai* sect formed by 'Alee Muhammad Ridaa (the *Baab*) who claimed prophethood and his disciple Husayn 'Alee (*Bahaa-ullaah*) who claimed that he was the awaited Christ and that Allaah was manifest in him.

[6] *Sahih Al-Bukhari,* vol.3, p.94, no.167, Kitaab: Fasting Baab: Prophet's saying about a man shaded; and *Sahih Muslim*,. *Sunan Abu Dawud,* vol.2, p.660, no.2401, Kitaab: Fasting, Baab: Ikhtiyaar fitr, and authenticated in Saheeh Sunan Abu Dawood, vol.2, p.70, no.2408,. The complete text is as follows:

عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ رَضِيَ اللَّهُ عَنْهُمْ قَالَ كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي سَفَرٍ فَرَأَى زِحَامًا وَرَجُلًا قَدْ ظُلِّلَ عَلَيْهِ فَقَالَ مَا هَذَا فَقَالُوا صَائِمٌ فَقَالَ لَيْسَ مِنْ الْبِرِّ الصَّوْمُ فِي السَّفَرِ

Jaabir ibn 'Abdillaah reported that Allaah's Messenger saw a crowd and a man who was being shaded so he asked, "*What is that?*" They replied, "He is fasting," so he said, "*Fasting while travelling is not a part of righteousness.*"

that he was not allowed to break his fast. But Ahmad and Is'haaq and others permitted it. The obvious meaning of the texts supports them because he is a traveller. As regards what is more meritorious, the Haadawiyyah[7]. Aboo Haneefah and ash-Shaafi'ee held that fasting was better if it is not difficult for him and there was no harm. If it is harmful, then breaking fast is better. Ahmad, Is'haaq and the others held that breaking fast was better under all conditions and they used as evidence the same *hadeeths* used by those who prohibited fasting for travellers. While those *hadeeths* indicate prohibition, Hamzah ibn 'Amr's *hadeeth* which is coming,

(( وَمَنْ أَحَبَّ أَنْ يَصُومَ فلا جُنَاحَ عَلَيْهِ )).

"*There is no sin on whoever wishes to fast.*"[8]

indicates by its negation of sin that there is nothing wrong in fasting, not that it is prohibited, or better. Those who held that fasting was better used as evidence the

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[7] The Zaidite Shi'ite school of law. This *Madh-hab* traces its origin to one of 'Alee ibn Abee Taalib's great grandsons through his son al-Husayn. Imaam Zayd's father. 'Alee Zayn al-'Aabideen, was well known for his great legal knowledge and his narration of *Hadeeths*. Born in al-Madeenah in the year 700 CE, Zayd ibn 'Alee soon became one of the foremost scholars of the 'Alawee family. He narrated *Hadeeths* from all of his relatives including his older brother, Muhammad al-Baaqir.[7] Zayd expanded his knowledge by travelling to the other major centers of learning in Iraq, Kufah, Basrah and Wasit, where he sat and exchanged views with his contemporaries like Abu Haneefah and Sufyaan ath-Thawree.

The Umayyad caliph, Hishaam ibn 'Abbdul-Malik (reign 724-743 CE) never missed an opportunity to degrade and humiliate the 'Alawee family and Zayd ibn 'Alee was often singled out for abuse. He was not allowed to leave the city of Madeenah without the permission of its governor and his requests for permission were often turned down repeatedly. Eventually, Zayd became the first of 'Alee's descendants to try to wrest the caliphate from the Umayyads after the catastrophe at Karbalaa. He travelled secretly to Kufah where he was joined by the *Shi'ites* of Iraq, Wasit and other places, and made preparation to do battle with the Umayyads. A number of his relatives warned him against depending on the Kufans, as it was their betrayal of Imaam Husayn which led to his untimely death, but he did not heed their warnings. Before his preparations were complete, disputes arose among his new followers when they found out that he did not consider the first caliphs, Abu Bakr and 'Umar, to be apostates who stole the caliphate from his grandfather. The majority of his followers broke away from him and declared his nephew, Ja'far as-Saadiq, to be the Imaam of the time instead of Zayd. Hishaam's army took advantage of the confusion and made a surprise attack on Kufah. Only a little more than four hundred followers rallied to Imaam Zayd's side and he was killed during the fighting which ensued.[7]

[8] *Sahih Al-Bukhari*, vol.3, p.93, nos. 163-4 and *Sahih Muslim*, vol.2, p.547, no.2491.

fact that it was the most common practice of the Prophet (ﷺ) in his travels. But it is not hidden that there must be evidence to prove that it was the most common practice, and they interpreted the narrations of prohibition for those who found difficulty in fasting. Others held that fasting and breaking fast were equal based on the *hadeeths* on both sides being equal and it was the obvious meaning of Anas' *hadeeth,*

عَنْ أَنَسِ بْنِ مَالِكٍ قَالَ كُنَّا نُسَافِرُ مَعَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَلَمْ يَعِبْ الصَّائِمُ عَلَى الْمُفْطِرِ وَلَا الْمُفْطِرُ عَلَى الصَّائِمِ

Anas ibn Maalik said, "We travelled with Allaah's Messenger (ﷺ) and he did not favour the one who fasted over the one who broke his fast nor the one who broke his fast over the one who fasted."[9]

**[630] -** وَعَنْ حَمْزَةَ بْنِ عَمْرٍو الأَسْلَمِيِّ رَضِيَ اللهُ عَنْهُ أَنَّهُ قَالَ : يَا رَسُولَ اللهِ، إِنِّي أَجِدُ فِيّ قُوَّةً عَلَى الصِّيَامِ فِي السَّفَرِ. فَهَلْ عَلَيَّ جُنَاحٌ؟ فَقَالَ رَسُولُ اللهِ : **"هِيَ رُخْصَةٌ منَ اللهِ، فَمَنْ أَخَذَ بِهَا فَحَسَنٌ وَمَنْ أَحَبَّ أَنْ يَصُومَ فلا جُنَاحَ عَلَيْهِ"** رَوَاهُ مُسْلِمٌ. وَأَصْلُهُ فِي المتفق عليه مِنْ حَدِيثِ عائِشَةَ أَنَّ حَمْزَةَ بْنِ عَمْرٍو سَأَلَ .

**[25] -** Hamzah ibn 'Amr al-Aslamee said, "O Messenger of Allaah! I find myself strong enough to fast while traveling, would it be wrong for me to do so?" Allaah's Messenger (ﷺ) replied, ***"It is an allowance given by Allaah, so that if anyone is not capable he has done no wrong, and if anyone wishes and is able to fast he would not be guilty of sin."***

Collected by Muslim. Its origin can be found in al-Bukhaaree and Muslim's narration from 'Aa'ishah's that Hamzah ibn 'Amr had asked.[10]

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[9] *Sahih Al Bukhari,* vol.3, p.95, no.168, Kitaab: sawm ; Baab: lam ya'ib ashaab an nabee and *Sahih Muslim.*

[10] *Sahih Al-Bukhari,* vol.3, p.93, nos. 163-4 and *Sahih Muslim,* vol.2, p.547, no.2491.

[631] - وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللهُ تَعالَى عَنْهُمَا قَالَ : رُخِّصَ لِلشَّيْخِ الكَبيرِ "أَنْ يُفْطِرَ وَيُطْعِمَ عَنْ كلِّ يَوْمٍ مِسْكِيناً، ولا قَضاءَ عَلَيْهِ" رَوَاهُ الدَّارَقُطْنِيُّ وَالحَاكِمُ وَصَحَّحَاهُ .

**[26] -** Ibn ‘Abbaas stated that permission to break the fast was given to the elderly, and in that case they must provide food for a poor person for every day [they missed], and they were not required to make up the days.

Collected by Daaraqutnee and al-Haakim and both of them authenticated it.[11]

Scholars differed regarding the verse:

**وَعَلَى الَّذِينَ يُطِيقُونَهُ فِدْيَةٌ طَعَامُ مِسْكِينٍ**

**“For those who could handle it substitution by feeding a poor person.”** (*Soorah al Baqarah 2:184*) What is well known is that it is abrogated and that it was at the beginning of the obligation of fasting and that whoever wished could feed a poor person and break his fast and whoever wished could fast. Then it was abrogated by the Almighty’s statement:

**وَأَنْ تَصُومُوا خَيْراً لَكُمْ**

**“To fast is better for you.”**

Or some said it was abrogated with the verse:

**فَمَنْ شَهِدَ مِنْكُمُ الشَّهْرَ فَلْيَصُمْهُ**

**“Whoever among you witnesses the month should fast.”**

Some held that it was not abrogated, among them was Ibn ‘Abbaas as in the narration above. It was narrated that he used to recite the verse:

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[11] It is authenticated in *Irwaa al-Ghaleel*, vol. 4, pp.17-25 no. 912. This narration is also found in *Sahih Al Bukhari*. Ibn al-Munthir reported in his book, *al-Ijmaa‘* (The Consensus), no. 129, that there was a consensus of scholars on this point. [See *Fasting in Ramadaan*, p. 54]

وَعَلَى الَّذِينَ يَطُوقُونَهُ فِدْيَةٌ طَعَامُ مِسْكِينٍ

"For those who find difficult substitution by feeding a poor person."

He held that the verse was for elderly males and females which is what is narrated from him by those mentioned by the author. In the *Sunan ad-Daaraqutnee* from Ibn 'Abbaas:

**وَعَلَى الَّذِينَ يُطِيقُونَهُ فِدْيَةٌ طَعَامُ مِسْكِينٍ**

**"For those who could handle it substitution by feeding one poor person and whoever volunteers it is better."** Ibn 'Abbaas said, "Whoever adds another poor person, it is better for him." He said, "It is not abrogated. It was a concession for old men unable to fast." The chain of narrators is sound and reliable. In the *Sunan* also is his statement, "Only the elderly unable to fast or the chronically ill are excused in this matter." Ad-Daaraqutnee said that this was also a sound narration and that the amount of food was specified as half Saa' of wheat.[12] He also collected from Ibn 'Abbaas and Ibn 'Umar regarding a pregnant woman and a breast-feeding woman that they could break their fast[13] without any substitution (*qadaa*). He collected the ruling concerning both from a group of the companions that they should feed a poor person for each day missed. He also collected from Anas ibn Maalik that one year he became too weak to fast so he prepared a large dish of *thareed* and invited thirty poor people who came and ate their fill.[14] There was a difference of opinion among the *salaf* on this issue. The majority held that feeding the poor was obligatory for one unable to fast due to old age and abrogated for others. A group of the *salaf* held that feeding was abrogated and for the elderly unable to bear the fast feeding was not required. Maalik held that feeding was recommended. There were other opinions. What is most obvious is the opinion of Ibn 'Abbaas. What was meant by the elderly is those unable to fast.

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[12] *Sunan ad-Daaraqutnee,* vol. 2, no. 207. Aboo Hurayrah said, "Whoever reaches old age and is unable to fast the month of Ramadaan should give a *mudd* (half *Saa'*) of wheat for each day." (vol.2, no. 208).

[13] Anas ibn Maalik said, "A detachment of Allaah's Messenger's cavalry attacked us, so I went to Allaah's Messenger (ﷺ) [to complain] and found him eating and he said, '*Come and eat.*' I said, 'I'm fasting.' He said, '*Come! I will inform you about fasting. Indeed, Allaah, the Blessed and Most High, remitted half the prayer for the traveler, and fasting for the pregnant and breast-feeding woman.*' By Allaah, the Prophet (ﷺ) said either both of them or one of them. But, I am sorry that I didn't eat from the Prophet's food." (*Sunan Abu Dawud,* vol.2, p.660, no.2402, and authenticated in Saheeh Sunan Abu Dawood, vol.2, p.70, no.2407, *Sunan al-Nasai, Sunan Ibn-i-Majah Sunan at-Tirmithee,*

[14] *Sunan ad-Daaraqutnee,* vol. 2, no. 270.

What is obvious is that his narration is *mawqoof* (his opinion). It is possible that what was meant was "the Prophet (ﷺ) permitted," and the statement was changed due to his knowledge of that. For permission is by revelation. It is also possible that Ibn 'Abbaas understood this from the verse, which is most likely.

**[632]** – وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ تعالى عنهُ قَال : جَاءَ رَجُلٌ إلى النَّبِيِّ ﷺ فَقالَ : هَلَكْتُ يا رَسُولَ الله . قَالَ : "**وَمَا أهْلَكَكَ؟** قَالَ : وَقَعْتُ عَلَى امْرَاتي في رَمضَانَ. فقَالَ : "**هَلْ تَجِدُ ما تَعْتِقُ رَقَبَةَ؟**" قَالَ : لا. قَالَ : "**فَهَلْ تَسْتَطِيعُ أنْ تَصُوم شَهْرَيْنِ مُتَتَابِعَيْنِ؟**" قَالَ : لا. قَالَ : "**فَهَلْ تَجِدُ ما تُطْعِمُ سِتِّينَ مِسْكِيناً**" قَالَ: لا، ثُمَّ جَلَسَ، فَأتِي النَّبِيُّ بِعَرَقٍ فيه تَمْرٌ. فقَالَ : "**تَصَدَّقْ بِهذا**" فَقَالَ: أعَلَى أفْقَرَ منا؟ فَمَا بَيْنَ لابَتَيْها أهْلُ بَيْتٍ أحْوَجُ إليْه منَّا، فَضَحِكَ النَّبِيُّ حَتَّى بَدَتْ أنْيَابُهُ. ثُمَّ قَالَ: "**اذهبْ فأطعمْ أهْلَك**" رَوَاهُ السَّبْعَةُ واللَّفْظُ لِمُسْلِمٍ .

**[27] -** Aboo Hurayrah related that a man came to the Prophet (ﷺ) and said, "O Messenger of Allaah! I am ruined." the Prophet (ﷺ) asked him, ***"What has led you to ruin?"*** He replied, "I have had intercourse with my wife in Ramadaan (while I was fasting)." the Prophet (ﷺ) then asked, ***"Can you fast two consecutive months?"*** He replied, 'No.' He asked, ***"Can you provide food for sixty poor people?"*** He replied, "No." He then sat down. A large pan containing dates was brought to the Prophet (ﷺ). He (ﷺ) said, ***"Give this as charity."*** The man replied, "Am I to give it to one who is poorer than I am? There is no poorer family than mine between the two lava plains of Madeenah." The Prophet (ﷺ) thereupon laughed such that his eye-teeth became visible and said, ***"Go and give it to your family to eat."***

Collected by the seven; the wording is Muslim's.[15]

**[633]** - وَعَنْ عائِشَةَ وَأُمِّ سلَمَةَ رَضِيَ اللهُ تَعَالى عَنْهُما أنَّ النَّبيَّ ﷺ كَانَ يُصْبحُ جُنُباً مِنْ جِمَاعٍ، ثُمَّ يَغْتَسِلُ وَيَصُومُ. مُتَّفَقٌ عَلَيْهِ، وَزَادَ مُسْلِمٌ في حَدِيثِ أُمِّ سَلَمَةَ : ولا يَقْضِي

**[28] -** 'Aa'ishah and Umm Salamah reported that the morning would sometimes catch the Prophet (ﷺ) in a state of major ritual impurity due to sexual intercourse and he would then bathe and fast.

Collected by al-Bukhaaree and Muslim. Muslim added in Umm Salamah's narration, "He would not make up for his fast."[16]

This *hadeeth* contains proof that the fast of one who awakens in the morning in a state of major ritual impurity is valid and this was the opinion of the majority of scholars. An-Nawawee said that there was a consensus on that. However, he was contradicted by what was collected by Ahmad and Ibn Hibbaan from Aboo Hurayrah who quoted Allaah's Messenger (ﷺ) as saying:

(( إِذَا نُودِيَ لِلصَّلاَةِ صَلاَةِ الصُّبْحِ وَأَحَدُكُمْ جُنُبٌ فَلاَ يَصُمْ يَوْمَهُ )).

"*If the call for the morning prayer is given and one of you is in a state of major impurity, he should not fast that day.*"

The majority replied that this narration was abrogated and that Aboo Hurayrah went back on this opinion when 'Aa'ishah and Umm Salamah's *hadeeth* was narrated to him and he ruled according to their opinion. Also indicating abrogation is what Muslim, Ibn Hibbaan and Ibn Khuzaymah narrated from 'Aa'ishah:

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[15] *Sahih Al-Bukhari,* vol.3, p.89, no.157, *Sahih Muslim,* vol.2, p.540, no.2457 and *Sunan Abu Dawud,* vol.2, pp.655-6, no. 2384.

[16] *Sahih Al-Bukhari,* vol.3, p.81, no.148 and *Sahih Muslim,* vol.2, p.539, nos.2452-53.

“That a man came to the Prophet (ﷺ) asking for a ruling which she heard from behind a curtain. He said, ‘O Messenger of Allaah! The morning prayer catches me while I am *junub*?’ The Prophet (ﷺ) replied, ‘The morning prayer catches me while I am *junub* also, and I fast.’ He said, ‘But you are not like us, O Messenger of Allaah! Allaah has forgiven your previous and future sins.’ He replied, ‘*By Allaah, I hope to be the most God-fearing of you and most knowledgeable about how to fear Him.*’ ”

Ibn al-Munthir, al-Khattaabee and others held the opinion of abrogation and this *hadeeth* refutes those who claim that this was unique to the Prophet (ﷺ). Al-Bukhaaree refuted Aboo Hurayrah’s *hadeeth* by arguing that the chain of ‘Aa’ishah’s *hadeeth* was more sound. Ibn ‘Abdil-Barr said, “It is sound and narrated by a large group on all levels (*mutawaatir*). As for Aboo Hurayrah’s *hadeeth*, most of its narrations mentioned that he used to make that ruling and the narrations attributed to the Prophet (ﷺ) were fewer, and where contradiction exists the narrations of it being his ruling should be given precedence due to the stronger channels of narration.

**[635] - وعَنْ عَائِشَةَ رَضِيَ اللهُ تَعالَى عَنْها أنَّ النَّبِيَّ ﷺ قَال : "مَنْ مَاتَ وَعَلَيْهِ صِيامُ صَامَ عَنْهُ وَلِيُّهُ" مُتَّفَقٌ عَلَيْهِ .**

**[29] -** ‘Aa’ishah narrated that the Prophet (ﷺ) said, ***“If anyone dies and he owes some days of fasting, his heir[s] should fast on his behalf.”***

Collected by al-Bukhaaree and Muslim

This *hadeeth* contains proof that the dead can be rewarded for his heir fasting on his behalf, if he died owing an obligatory fast. This narration is in an imperative form meaning that the heir should fast and the basic meaning implies obligation, except that it has been claimed that there is a consensus (*ijmaa‘*) that it has been shifted to a recommendation. The intent behind heir is every relative. Some said it is specific to his inheritors and some limited it to male inheritors.

There is a difference of opinion on this issue. The *hadeeth* scholars, Aboo Thawr and a group of others held that the relatives fast for the dead is rewarded based on this *hadeeth.* A group among the Shi'ites, Maalik and Aboo Haneefah held that fasting cannot be done for the dead. Instead, what is obligatory is atonement based on what at-Tirmithee collected from Ibn 'Umar from the Prophet (ﷺ):

"*Whoever dies owing fasts, two poor people should be fed for every day.*" Except that he said after narrating it, it is *ghareeb* (strange) and is only known to us from this route and what is correct is that it is the opinion of Ibn 'Umar.

They also said that because the ruling for feeding was narrated from Ibn 'Abbaas and 'Aa'ishah, and it agrees with the remainder of the acts of worship whereby no one can do them for others, with the exception of Hajj. My reply is that the narrated opinions of rulings of 'Aa'ishah and Ibn 'Abbaas cannot overrule an authentic *hadeeth.* As for the issue of someone doing acts of worship on behalf of others, it is established in the case of Hajj by an authentic text, therefore it should be in the case of fasting with a similar text. Therefore, there is no excuse for not applying it. And the excuse of the Maalikites that Madeenites did not do it is based on the claim that their non-application of a *hadeeth* is proof, which is not the case as is known in *Usool al-Fiqh.* Likewise, the excuse of the Hanafites that the ruling of the narrator contradicted what he narrated is an unacceptable excuse as the key is according to what he narrated and not what opinion he held as is known in *Usool* also.

Those who held that the fast for the dead is rewarded differed as to whether it is only for relatives or not. Some held that it was not specific and that if a non-relative fasted based on his instruction it would be rewarded as in the case of Hajj. The heir was mentioned in the *hadeeth* because it is the most common. Some held that it is rewarded even if a non-relative did it without the dead person's instruction because the Prophet (ﷺ) compared it to a debt when he said, "*Allaah's debt has more right to be paid.*"[17] Thus, as debts may be paid by non-relatives, so can fasting. And a relative may seek others to do it in his stead.

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[17] The complete text of the *hadeeth* is as follows:

عَنْ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا قَالَ جَاءَ رَجُلٌ إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ يَا رَسُولَ اللَّهِ إِنَّ أُمِّي مَاتَتْ وَعَلَيْهَا صَوْمُ شَهْرٍ أَفَأَقْضِيهِ عَنْهَا قَالَ نَعَمْ قَالَ فَدَيْنُ اللَّهِ أَحَقُّ أَنْ يُقْضَى

Ibn 'Abbaas said that a man came to the Prophet (ﷺ) and said, "O Messenger of Allaah! My mother died and she had the responsibility of a month of fasting. Should I do it on her behalf?" He replied, "*Yes. A debt to Allaah has more right to be paid.*" (*Sahih Al Bukhari* vol.3, p.99, no.174,

Kitaab: Sawm; Baab: Man maata wa alayhi sawm, a similar narration about a woman and her mother can also be found in *Sahih Muslim*, Kitaab: Siyaam; Baab: Qadaa as siyaam an al mayyit)

# Voluntary Fasting and Days when Fasting is Prohibited

**[635]** - عَنْ أَبِي قَتَادَةَ الأَنْصَارِيِّ رَضِيَ اللهُ تَعَالى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ سُئِلَ عَنْ صَوْمِ يَوْمِ عَرَفَةَ. فقَالَ : **"يُكَفِّرُ السَّنَةَ المَاضِيَةَ والبَاقِيَةَ"** وَسُئِلَ عَنْ صَوْمِ يَوْمِ عَاشُورَاءَ. فقَالَ : **"يُكَفِّرُ السَّنَةَ المَاضِيَةَ"** وَسُئِلَ عَنْ صَوْمِ يَوْمِ الإِثْنَيْنِ، فَقَالَ **"ذلِكَ يَوْمٌ وُلِدْتُ فِيهِ، وَبُعِثْتُ فِيهِ وَأُنْزِلَ عَلَيَّ فِيهِ"** رَوَاهُ مُسْلِمٌ .

**[30]** - Aboo Qataadah al-An<u>s</u>aaree stated that Allaah's Messenger (ﷺ) was asked about fasting on the day of 'Arafah and he replied, ***"It atones for the sins of the preceding and the coming year."*** He was asked about fasting on the day of 'Aashooraa and he replied, ***"It atones for the sins of the preceding year."*** When he was asked about fasting on Monday he said, ***"On this day, I was born, given prophethood, and the revelation first came to me."***

Collected by Muslim.[1]

The atonement for what has not yet occurred, in this case - sins of the coming year, could be considered problematic. I answer it by pointing out that the intent of it is that the person will be blessed / guided to not do those sins and it was called atonement in order for it to match the treatment of past sins, or it meant that if he falls into sin he would be guided to do what would atone for it.

As for fasting on the Day of 'Aashooraa (the tenth of al-Mu<u>h</u>arram), according to the opinion of the majority, it used to be obligatory (*waajib*) before the fast of Ramadaan was made obligatory, then it became recommended (*musta<u>h</u>abb*).

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[1] *Sahih Muslim*, vol.3, p.568, no.2603.

The *h*adeeth indicates that fasting on the Day of 'Arafah is better than fasting on the Day of 'Aashooraa. The Prophet (ﷺ) explained that the reason behind the legality of fasting on Mondays is that he was born on that day and received prophethood on that day.

The *h*adeeth contains evidence that one should fast and increase one's awareness of Allaah on the day on which Allaah has blessed his servant. It was mentioned in Umaamah's *h*adeeth that the reason for fasting Mondays and Thursdays was "*That it is the day on which deeds are presented, and he liked that his deeds be presented while he was fasting.*"[2] There is no contradiction between the two reasons.

**[636]** - وَعَنْ أَبِي أَيُّوبَ الأَنْصارِيِّ رَضِيَ اللهُ تَعالى عَنْهُ أَنَّ رَسُولَ اللهِ ﷺ قالَ : **"مَنْ صَامَ رَمَضانَ ثُمَّ أَتْبَعَهُ سِتًّا مِنْ شَوَّالٍ كانَ كَصِيَامِ الدَّهْرِ"** رَوَاهُ مُسْلِمٌ .

**[31]** - Aboo Ayyoob al-An*s*aaree related that Allaah's Messenger (ﷺ) said, ***"If anyone fasts during Rama*d*aan, then follows it with six[3] days in Shawwaal, it will be like a perpetual fast."***

Collected by Muslim.[4]

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[2] The text as collected by at-Tirmi*th*ee is as follows:

عَنْ أَبِي هُرَيْرَةَ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ تُعْرَضُ الْأَعْمَالُ يَوْمَ الِاثْنَيْنِ وَالْخَمِيسِ فَأُحِبُّ أَنْ يُعْرَضَ عَمَلِي وَأَنَا صَائِمٌ

Aboo Hurayrah related that Allaah's Messenger said, "*Deeds are presented on Mondays and Thursdays so I like that my deeds be presented while I am fasting.*" (Kitaab: Sawm, Baab: Maa jaa'a fee sawm ithnayn wa khamees and authenticated in Saheeh Sunan at-Tirmithee vol.1, p.395,no.747)

[3] The commentator mentioned the grammatical point that the number, *sittan,* was in the masculine form in spite of the fact that what was numbered was masculine (*ayyaam*) because, when the numbered item is deleted, the number may be mentioned in either the feminine or masculine form as clearly stated by grammarians. (*Subulus-Salaam,* p. 340)

[4] *Sahih Al-Bukhari,* vol.4, pp.66-7, no.93 and *Sahih Muslim* vol.2, p.560, no.2570.

The *hadeeth* contains proof for the recommendation of fasting six days of Shawwaal which is the position of a group among the Aal[5], Ahmad and ash-Shaafi'ee. Maalik disliked fasting these days because he did not see any people of knowledge fasting them and also in order that they not be considered obligatory. However, what is obligatory is that after a text is confirmed authentic to that effect, explanations and interpretations have no value. What Ibn 'Abdil-Barr said [regarding Imaam Maalik's position] was excellent, [he suggested] that the *hadeeth* of Muslim [probably] did not reach Maalik.

It should be noted that the reward for fasting [the six days] will be given to whoever fasts them, whether separately or continually, immediately after 'Eed or during the month. In *Sunan at-Tirmithee* [it is reported] from Ibn al-Mubaarak that he preferred [the fast to be] six days from the beginning of the month of Shawwaal. It was also narrated from Ibn al-Mubaarak that he said, "Whoever fasts six days from Shawwaal separately is permissible." My opinion is that there is no evidence for choosing them from the beginning of Shawwaal, as whoever does them in any days of Shawwaal can be described as having followed Ramadaan with six days from Shawwaal.

The Prophet (ﷺ) compared [following Ramadaan with six days from Shawwaal] to fasting the year because each good deed is equal to ten times its value, thus Ramadaan is equivalent to ten months (300 days) and six days of Shawwaal is equivalent to two months.

The *hadeeth* does not contain evidence for fasting the whole year and this will be explained at the end of the chapter.

It should also be noted that at-Taqee as-Subkee said, "Some without understanding have criticized this *hadeeth,* fooled by at-Tirmithee's statement that it is *hasan* regarding the narration of Sa'd ibn Sa'eed al-Ansaaree, the brother of Yahyaa ibn Sa'eed." I say that the aspect of being fooled is that at-Tirmithee did not describe it as *saheeh*, but only as *hasan* according to the manuscript with as-Subkee. What we have seen in *Sunan at-Tirmithee* is that after mentioning this *hadeeth* the statement: Aboo 'Eesaa said: *hadeeth* Aboo Ayyoob is *hasan saheeh.* As-Subkee then said: "And Sa'd ibn Sa'eed is the brother of Yahyaa ibn Sa'eed al-Ansaaree. Some scholars of *hadeeth* have spoken negatively about Sa'd ibn Sa'eed's power of memorization." I say that Ibn Dihyah quoted Ahmad ibn Hambal as saying: "Sa'eed's *hadeeths* are weak," and an-Nasaa'ee said: "He is not strong," and Aboo Haatim said: "Using the *hadeeths* of Sa'd ibn Sa'eed is impermissible." Ibn as-Subkee then said: "Our Shaykh, Aboo Muhammad ad-

[5] The Zaidite Imaams.

Dimyaatee, concerned himself with gathering its channels and he traced it through twenty plus narrators from Sa‘d ibn Sa‘eed and most of them were reliable expert memorizers (*huffaaz thiqaat*) including the two Sufyaans. Also Sa‘d’s brother Yahyaa, ‘Abdu Rabbih, Safwaan ibn Saleem and others had narrations from the Prophet (ﷺ) through Thawbaan, Aboo Hurayrah, Jaabir, Ibn ‘Abbaas, al-Barraa ibn ‘Aazib and ‘Aa’ishah which agreed with Sa‘d’s narration. [For example,] the wording of Thawbaan’s narration from the Prophet (ﷺ) was:

(( مَنْ صَامَ رَمَضَانَ فَشَهْرُهُ بِعَشَرَةٍ وَمَنْ صَامَ سِتَّةَ أَيَّامٍ بَعْدَ الْفِطْرِ فَذَلِكَ صِيَامُ السَّنَةِ )).

“*Whoever fasts Ramadaan, his month is equivalent to ten, and whoever fasts six days after breaking the fast, that will make a year of fasting.*”

Collected by Ahmad[6] and an-Nasaa’ee[7].

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[6] *Musnad Ahmad*, no. 21378. The wording is as follows:

عَنْ ثَوْبَانَ عَنْ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ مَنْ صَامَ رَمَضَانَ فَشَهْرٌ بِعَشَرَةِ أَشْهُرٍ وَصِيَامُ سِتَّةِ أَيَّامٍ بَعْدَ الْفِطْرِ فَذَلِكَ تَمَامُ صِيَامِ السَّنَةِ

Thawbaan reported that the Prophet (ﷺ) said, “*Whoever fasts Ramadaan, it is a single month equivalent to ten. And the fast of six days after the Festival of Breaking the Fast completes a year of fasting.*”

[7] I could not find any narration in *Sunan an-Nasaa’ee* as claimed by the author, however there is a narration from Thawbaan in *Sunan Ibn-i-Majah,* vol.3, p.38, no.1715, Kitaab: Siyaam; Baab: siyaam sitt ayyaam min shawwaal and authenticated in Saheeh Sunan Ibn-i-Majah, vol.2, p.77, no.1402,. The wording is as follows:

عَنْ ثَوْبَانَ مَوْلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ مَنْ صَامَ سِتَّةَ أَيَّامٍ بَعْدَ الْفِطْرِ كَانَ تَمَامَ السَّنَةِ مَنْ جَاءَ بِالْحَسَنَةِ فَلَهُ عَشْرُ أَمْثَالِهَا

Thawbaan, the freed slave of Allaah’s Messenger (ﷺ), related that the Messenger of Allaah (ﷺ) said, “*Whoever fasts six days after the Festival of Breaking the Fast completes the reward of a year, for whoever brings a good deed gets [the reward of] ten similar.*”

**[637]** - وَعَنْ أبي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللهُ تَعالى عَنْهُ قَالَ : قَال رسُولُ اللهِ ﷺ: **"مَا مِنْ عَبْدٍ يَصُومُ يَوْماً في سَبِيلِ اللهِ إلا بَاعَدَ اللهُ بِذلكَ اليَوْمِ عَنْ وجْهِهِ النَّارَ سَبْعِينَ خَرِيفاً"** مُتَّفَقٌ عَلَيْهِ واللَّفْظُ لِمُسْلِمٍ .

**[32]** - Aboo Sa‘eed al-Khudree reported that Allaah’s Messenger (ﷺ) said, **“*Allaah will distance the Hell-Fire from the face of any servant of Allaah who fasts for a day in the Path of Allaah seventy years for that day.*”**

Agreed upon[8] and the wording is that of Muslim.

**“In the Path of Allaah,”** means *Jihaad* when used generally. The *hadeeth* contains evidence for the superiority of fasting while engaging in *Jihaad* as long as it does not cause the person to become too weak to fight the enemy. It is superior because it combines struggling (*jihaad*) with one’s enemy and struggling with one’s self regarding food, drink and sexual desires. He metaphorically used **“Allaah will distance the Hell-Fire from his face seventy years,”** to indicate that he would be safe from its punishment.

**[638]** - وَعَنْ عائشَةَ رَضِيَ اللهُ تَعَالى عَنْهَا قَالتْ : كانَ رَسُولُ اللهِ ﷺ يَصُومُ حَتَّى نَقُولَ لا يُفْطِرُ، وَيُفْطِرُ حَتَّى نَقُولَ لا يَصُومُ، وَمَا رَأَيْتُ رَسُولَ اللهِ اسْتَكْمَلَ صِيامَ شَهْرٍ قطُّ إلا رَمَضَانَ، وَمَا رَأَيْتُهُ في شَهْرٍ أَكْثَرَ مِنْهُ صِياماً في شَعْبَانَ. مُتَّفَقٌ عَلَيْهِ. واللَّفْظُ لِمُسْلِم

**[33]** - ‘Aa’ishah narrated that Allaah’s Messenger (ﷺ) used to fast to such an extent that we thought he would never stop fasting, and he would go without fasting to such an extent that we thought he would

[8] *Sahih Al-Bukhari,* vol.4, pp.66-7, no.93 and *Sahih Muslim* vol.2, p.560, no.2570.

never fast. I never saw Allaah's Messenger (ﷺ) fast a complete month except in Ramadaan and I never saw him fast more in any month than in Sha'baan.

Collected by al-Bukhaaree and Muslim. The wording is that of Muslim.[9]

The *hadeeth* contains evidence that the Prophet's fasting was not restricted to one month and not another and that he would sometimes continue his fasting and at other times continue not fasting. Perhaps he used to do whatever his circumstances required; when he was free from work he would continue his fasts and when it was the opposite he would continue not to fast.

It also contains evidence that he choose Sha'baan to fast more than other months and 'Aa'ishah took note about the reason for that. At-Tabaraanee collected from her that,

"*He used to fast three days in every month, and sometimes he would delay it and the fast of the year would come together, and he would fast Sha'baan.*" Ibn Abee Laylaa is in its chain and he is weak. It is said that he used to fast Sha'baan to glorify Ramadaan as collected by at-Tirmithee in the *hadeeth* of Anas and others:

"*Allaah's Messenger (ﷺ) was asked, 'Which fast is best?' and he said, 'Sha'baan to glorify Ramadaan.'* " At-Tirmithee said that Sadaqah ibn Moosaa was in its chain and he was not strong (*laysa bi qawee*).

It was also said that he used to fast it, "*because it is a month neglected by people between Rajab and Ramadaan,*" as collected by an-Nasaa'ee and Aboo Daawood and authenticated by Ibn Khuzaymah from Usaamah ibn Zayd:

I said, "O Messenger of Allaah! I haven't seen you fast in any of the months as much as you fast in Sha'baan?" He replied, "*That is a month which people neglect between Rajab and Ramadaan and it is a month in which deeds are raised up to the Lord of all worlds. So I like to have my deeds raised up while I am fasting.*"[10]

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[9] *Sahih Al-Bukhari,* vol.3, p.108, no.190 and *Sahih Muslim*, vol.2, p.561, no.2580.

[10] Also authenticated by Shayh Albanee in *Saheeh Sunan an-Nasaa'ee* vol.2, p.153, no.2356

The Author said, “It is possible that he fasted it for all of these reasons.

The *h̲adeeth*

“*Indeed fasting in Sha‘baan is the best fast after Ramad̲aan,*” is contradicted by a narration from Aboo Hurayrah collected by Muslim:

(( أَفْضَلُ الصِّيَامِ بَعْدَ رَمَضَانَ شَهْرُ اللَّهِ الْمُحَرَّمُ )).

“*The best fast after Ramad̲aan is the fast of al-Muh̲arram.*”[11]

If it was the best, he would have guarded fasting most of it and ‘Aa’ishah’s *h̲adeeth* indicates that he fasted the most in Sha‘baan. I reply by saying that the superiority of the fast of Muh̲arram is relative to the Consecrated Months (*al-ash’hur al-H̲urum*) while the superiority of Sha‘baan was unrestricted. As for his not frequently fasting in al-Muh̲arram, an-Nawawee said, “That was because he learned that at the end of his life.”

**[639]** - وَعَنْ أبِي ذَرٍّ رضِيَ اللهُ تعالى عَنْهُ قالَ : أمَرَنا رَسُولُ اللهِ ﷺ: "أنْ نَصُومَ مِنَ الشَّهْرِ ثلاثةَ أيَّامٍ: ثُلاثَ عَشَرَةَ، وَأرْبَعَ عَشَرَةَ، وَخَمْسَ عَشَرَةَ" رَوَاهُ النَّسائِيُّ والتِّرْمِذِيُّ وَصَحَّحَهُ ابْنُ حِبَّانَ

**[34]** - Aboo Dharr related that Allaah’s Messenger (ﷺ) instructed us to fast three days in every month: on the thirteenth, fourteenth and

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[11] *Sahih Muslim*, vol. , p., no. , The complete *h̲adeeth* is as follows:

عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ (( أَفْضَلُ الصِّيَامِ بَعْدَ رَمَضَانَ شَهْرُ اللَّهِ الْمُحَرَّمُ وَأَفْضَلُ الصَّلَاةِ بَعْدَ الْفَرِيضَةِ صَلَاةُ اللَّيْلِ )).

Aboo Hurayrah quoted Allaah’s Messenger (ﷺ) as saying: “*The best fast after Ramad̲aan is the fast of al-Muh̲arram and the best formal prayer after the obligatory prayers is the night prayer.*”

fifteenth. Collected by an-Nasaa'ee and at-Tirmithee. Ibn Hibbaan declared it to be sound.[12]

This *hadeeth* has been narrated through many channels; from Aboo Hurayrah with the following wording:

(( إِنْ كُنْتَ صَائِمًا فَصُمْ الْغُرَّ )).

"*If you fast, then fast the days of the full moon.*"[13]

عَنْ ابْنِ الْحَوْتَكِيَّةِ قَالَ قَالَ أَبِي جَاءَ أَعْرَابِيٌّ إِلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَمَعَهُ أَرْنَبٌ قَدْ شَوَاهَا وَخُبْزٌ فَوَضَعَهَا بَيْنَ يَدَيْ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ثُمَّ قَالَ إِنِّي وَجَدْتُهَا تَدْمَى فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لِأَصْحَابِهِ لَا يَضُرُّ كُلُوا وَقَالَ لِلْأَعْرَابِيِّ كُلْ قَالَ إِنِّي صَائِمٌ قَالَ صَوْمُ مَاذَا قَالَ صَوْمُ ثَلَاثَةِ أَيَّامٍ مِنْ الشَّهْرِ قَالَ إِنْ كُنْتَ صَائِمًا فَعَلَيْكَ بِالْغُرِّ الْبِيضِ ثَلَاثَ عَشْرَةَ وَأَرْبَعَ عَشْرَةَ وَخَمْسَ عَشْرَةَ

"*If you fast, adhere to the bright days of the full moon; the thirteenth, fourteenth and fifteenth,*"[14]

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[12] It is authenticated in *Saheeh Sunan at- Tirmithee*, vol. 1, p. 230, no. 608.

[13] *Musnad Ahmad*, CD no. 8204, *Da'eef Sunan an-Nasaa'ee*, p.74, no.2420. The complete text of the narration is as follows:

عَنْ أَبِي هُرَيْرَةَ قَالَ جَاءَ أَعْرَابِيٌّ إِلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِأَرْنَبٍ قَدْ شَوَاهَا فَوَضَعَهَا بَيْنَ يَدَيْهِ فَأَمْسَكَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَلَمْ يَأْكُلْ وَأَمَرَ الْقَوْمَ أَنْ يَأْكُلُوا وَأَمْسَكَ الْأَعْرَابِيُّ فَقَالَ لَهُ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مَا يَمْنَعُكَ أَنْ تَأْكُلَ قَالَ إِنِّي صَائِمٌ ثَلَاثَةَ أَيَّامٍ مِنْ الشَّهْرِ قَالَ إِنْ كُنْتَ صَائِمًا فَصُمْ الْغُرَّ

Aboo Hurayrah related that a Bedouin came to Allaah's Messenger (ﷺ) with a grilled rabbit and placed it in front of him. The Messenger of Allaah (ﷺ) refrained from eating but instructed the people to eat. The Bedouin also refrained. So the Prophet (ﷺ) said to him, "*What prevents you from eating?*" He replied, "I'm fasting three days of the month." He said, "*If you are fasting, fast the days of the full moon.*"

[14] Narrated from Aboo Tharr in *Da'eef Sunan an-Nasaa'ee*, p.75, no.2426.

عَنْ ابْنِ مِلْحَانَ الْقَيْسِيِّ عَنْ أَبِيهِ قَالَ كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَأْمُرُنَا أَنْ نَصُومَ الْبِيضَ ثَلَاثَ عَشْرَةَ وَأَرْبَعَ عَشْرَةَ وَخَمْسَ عَشْرَةَ قَالَ وَقَالَ هُنَّ كَهَيْئَةِ الدَّهْرِ

Ibn Milhaan al-Qaysee related from his father that he said, "The Messenger of Allaah (ﷺ) used to instruct us to fast the days of the full moon, the thirteenth, fourteenth and fifteenth. And he said, '*They are like the year.*' "[15]

أَخْبَرَنَا مَخْلَدُ بْنُ الْحَسَنِ قَالَ حَدَّثَنَا عُبَيْدُ اللَّهِ عَنْ زَيْدِ بْنِ أَبِي أُنَيْسَةَ عَنْ أَبِي إِسْحَقَ عَنْ جَرِيرِ بْنِ عَبْدِ اللَّهِ عَنْ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ صِيَامُ ثَلَاثَةِ أَيَّامٍ مِنْ كُلِّ شَهْرٍ صِيَامُ الدَّهْرِ وَأَيَّامُ الْبِيضِ صَبِيحَةَ ثَلَاثَ عَشْرَةَ وَأَرْبَعَ عَشْرَةَ وَخَمْسَ عَشْرَةَ

"*Fasting three days of every month is like the whole year,*"[16]

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[15] *Sunan Abu Dawud,* vol.2, p.74, no.2443, and authenticated in Saheeh Sunan Abu Dawood, vol.2, p.674, no.2449 *Sunan Ibn-i-Majah.*

[16] *Saheeh Sunan an-Nasaa'ee,* vol.2, p.170, no.2419.

**[640]** – وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ تَعالى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ : **"لا يَحِلُّ لِلْمَرْأَةِ أَنْ تَصُومَ وَزَوْجُها شَاهِدٌ إِلا بِإِذْنِه"** مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخارِيِّ، زَادَ أَبُو داوُدَ **"غَيْرَ رَمَضَانَ"** .

**35]** - Aboo Hurayrah reported that Allaah's Messenger (ﷺ) said, **"It is not allowable for a woman to fast when her husband is present without his permission."** Collected by al-Bukhaaree and Muslim. The wording is that of al-Bukhaaree. Aboo Daawood added, **"Other than in Ramadaan."**[1]

This *hadeeth* contains evidence that fulfilment of the marriage rights takes precedence over voluntary fasting. In the case of Ramadaan, it is obligatory on the wife even if the husband is displeased. The same ruling can be applied by analogy to making up for missed obligatory fast. If she fasts a voluntary fast without his permission, she would be doing a forbidden act.

**[641]** - وَعَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللهُ تعالى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ نَهى عَنْ صِيَامِ يَوْمَيْنِ: يَوْمِ الفِطْرِ وَيَوْمِ النَّحْرِ. مُتَّفَقٌ عَلَيْهِ .

**[36]** - Aboo Sa'eed al-Khudree stated that Allaah's Messenger (ﷺ) forbade fasting on two days: the day of breaking the fast of Ramadaan and the Day of Sacrifice [the two Eid days]. Collected by al-Bukhaaree and Muslim.[2]

Contained in this narration is proof for the prohibition of fasting on those two days because the original meaning of a prohibition implies *haraam*. The majority

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[1] *Sahih Al-Bukhari*,vol.7, pp.92-3, no. 120 and *Sahih Muslim*, vol.2, p.491, no.2238.

[2] *Sahih Al-Bukhari*, vol.3, p.121, no. 215 and *Sahih Muslim*, vol.2, p.553, no.2536.

of scholars held that fasting on those days is *haraam*. If a person made an oath to fast on those two days, his oath would not be valid according to what is most obvious, because he made an oath of disobedience. Some said he should fast two other days in their place.

**[642]** - وَعَنْ نُبَيْشَةَ الهُذَلِيِّ رَضِيَ اللهُ تعالى عَنْهُ قَالَ : قَالَ رَسُولُ اللهِ ﷺ: **"أيَّام التَّشْرِيقِ أيَّامُ أكْلٍ وَشُرْبٍ، وَذِكْرِ اللهِ عَزَّ وَجَلَّ"** رَوَاهُ مُسْلِمٌ .

**[37]** - Nubayshah al-Huthalee narrated that Allaah's Messenger (ﷺ) said, **"The days of *Tashreeq* are days of eating, drinking and remembrance of Allaah Who is Great and Glorious."** Collected by Muslim.[3]

Muslim also collected from Ka'b ibn Maalik, Ibn Hibbaan from Aboo Hurayrah, an-Nasaa'ee from Bishr ibn Suhaym, the compilers of the Sunan from 'Uqbah ibn 'Aamir, and al-Bazzaar from Ibn 'Umar:

((أَيَّامُ التَّشْرِيقِ أَيَّامُ أَكْلٍ وَشُرْبِ وصَلاَةٍ فَلاَ يَصُومُ فِيهَا أَحْدٌ ))

"*The Days of Tashreeq are days of eating, drinking and formal prayers. So no one should fast in them.*"

Aboo Daawood collected from Ibn 'Umar in his story:

((أَنَّهُ كَانَ يَأْمُرُهُمْ بِإِفْطَارِهَا وَيَنْهَاهُمْ عَنْ صِيَامِهَا ))

"That the Prophet (ﷺ) used to instruct them to break fast in them and prohibit them from fasting them," that is, the Days of Tashreeq.[4]

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[3] *Sahih Muslim*, vol.2, p.554, no.2539.

[4] *Sunan Abu Dawud*, vol.2, p.663, no.2412, Kitaab: Fasting; Baab: Fasting the Days of Tashreeq, and authenticated in Saheeh Sunan Abu Dawood, vol.2, p.73, no.2418. The complete text is as follows:

Ad-Daaraqutnee collected from ‘Abdullaah ibn Huthaafah as-Sahamee:

((أَيَّامُ التَّشْرِيقِ أَيَّامُ أَكْلٍ وشُرْبٍ وَبِعَالٍ ))

"*The Days of Tashreeq are days of eating, drinking and copulating.*"

The *hadeeth* and what we have mentioned carrying a similar meaning indicate that fasting on the Days of Tashreeq is prohibited. The scholars differed as to whether it was a banning prohibition or one of dislike (*tanzeeh*). A group of scholars of the *salaf* and others ruled that it was an absolute prohibition, and it was the most well-known position of ash-Shaafi‘ee. They held that even the person doing Hajj Tamattu‘ and others should not fast them. They made this *hadeeth* the specific exception for the Almighty's statement:

﴿ فَمَن تَمَتَّعَ بِٱلۡعُمۡرَةِ إِلَى ٱلۡحَجِّ فَمَا ٱسۡتَيۡسَرَ مِنَ ٱلۡهَدۡيِۚ فَمَن لَّمۡ يَجِدۡ فَصِيَامُ ثَلَٰثَةِ أَيَّامٖ فِي ٱلۡحَجِّ وَسَبۡعَةٍ إِذَا رَجَعۡتُمۡۗ تِلۡكَ عَشَرَةٞ كَامِلَةٞۗ ﴾

**"Whoever performs ‘Umrah in the months of Hajj, before (performing) the Hajj, he must slaughter a sacrificial animal according to what he can afford, but if he cannot afford it, he should fast three days during the Hajj and seven days after his return, making ten days in all."** (*Soorah al-Baqarah,* 2: 196)

They did so because this verse is general, covering what is before the Day of Sacrifice and after it. The *hadeeth* is specific to the Days of Tashreeq, though it is general relative to the days of Hajj and others. Considering them specific is more likely as it is what was intended by the evidence that they are not the place for fasting. It is as if the days themselves are contradictory to fasting, relative to what they are suited for.

The Haadawites held that the person doing Hajj Tamattu‘ unable to find a sacrificial animal should fast them as indicated by the context of the verse and a narration to that effect from ‘Alee (peace be upon him). They said that one doing

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عَنْ أَبِي مُرَّةَ مَوْلَى أُمِّ هَانِئٍ أَنَّهُ دَخَلَ مَعَ عَبْدِ اللَّهِ بْنِ عَمْرٍو عَلَى أَبِيهِ عَمْرِو بْنِ الْعَاصِ فَقَرَّبَ إِلَيْهِمَا طَعَامًا فَقَالَ كُلْ فَقَالَ إِنِّي صَائِمٌ فَقَالَ عَمْرٌو كُلْ فَهَذِهِ الْأَيَّامُ الَّتِي كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَأْمُرُنَا بِإِفْطَارِهَا وَيَنْهَانَا عَنْ صِيَامِهَا قَالَ مَالِكٌ وَهِيَ أَيَّامُ التَّشْرِيقِ

"All of these days which Allaah's Messenger (ﷺ) used to instruct us to break our fasts and he used to prohibit us from fasting them." Maalik said, "They are the Days of Tashreeq."

Hajj Qiraan and one held back (*muhsar*) should not do it if they could not find a sacrificial animal. The others held that the person doing Hajj Tamattu‘ and whoever could not find a sacrificial animal, whether he was doing Hajj Qiraan or he was held back, could fast them based on the general meaning of the verse and the implications of the following *hadeeth.*

**[643]** - وَعَنْ عائِشَةَ وَابْنِ عُمَرَ رَضِيَ اللهُ عَنْهُمْ قَالا : لَمْ يُرَخَّصْ في أَيَّامِ التَّشْرِيقِ أنْ يُصَمْنَ إلا لِمَنْ لَمْ يَجِدِ الهَدْيَ. رَوَاهُ البُخَارِيُّ .

**[38]** - ‘Aa’ishah and Ibn ‘Umar stated that no concession for fasting was given during the Days of *Tashreeq* except for one who could not find a sacrificial animal [to slaughter]. Collected by al-Bukhaaree.[5]

This *hadeeth* indicates that fasting the Days of Tashreeq is a permissible concession for whoever could not find a sacrificial animal while doing Hajj Tamattu‘, Qiraan, or was held up, based on the general implications of the *hadeeth* based on the fact that the person giving the concession was Allaah’s Messenger (ﷺ) and that it is attributed to him, and there are three positions concerning that. The third of them is that if it is attributed to the Prophet’s era it becomes evidence, otherwise it is not. The person giving the concession was clearly mentioned in a narration collected by ad-Daaraqutnee and at-Tahaawee, except that its chain of narration was weak. Its wording is:

(( رَخَّصَ رَسُولُ اللهِ لِلْمُتَمَتِّعِ إِذَا لَمْ يَجِدْ الْهَدْيَ أَنْ يَصُومَ أَيَّامَ التَّشْرِيقِ ))

“The Messenger of Allaah (ﷺ) gave a concession to one doing Hajj Tamattu‘ who could not find a sacrificial animal to fast the Days of Tashreeq.”

Except that it specifies the one doing Hajj Tamattu‘ and thus could not be used as evidence for those holding this view. It has been reported as the act of ‘Aa’ishah, Aboo Bakr and the ruling of ‘Alee (peace be upon him).

A group of scholars took the position that it was a prohibition of dislike and that it was permissible for anyone to fast these days. But it is a position which has no evidence to support it.

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[5] *Sahih Al-Bukhari,* vol.3, p.122, no.216.

**[644]** - وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ تعالى عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ : **"لا تَخُصُّوا لَيْلَةَ الجُمُعَةِ بِقِيَامٍ مِنْ بَيْنِ اللَّيَالِي، ولا تَخُصُّوا يَوْمَ الجُمُعَةِ بِصِيامٍ مِنْ بَيْنِ الأَيَّامِ، إلا أَنْ يَكُونَ فِي صَوْمٍ يَصُومُهُ أَحَدُكُمْ"** رَوَاهُ مُسْلِمٌ .

**[39]** - Aboo Hurayrah reported that the Prophet (ﷺ) said, **"Do not choose Thursday night as a particular night for prayer, and do not choose Friday as a particular day for fasting, unless it occurs during a fast one of you is observing."** Collected by Muslim.[6]

The *hadeeth* is evidence for the prohibition of specifying Friday night for worshiping with formal prayer and recitation and other similar acts, not usually done, except what is mentioned in a legal text regarding that. For example, the recitation of *Soorah al-Kahf,* as there is narrated the specification of Friday night for its recitation and for other chapters there are narrated specifications but scholars have spoken negatively about them.

The general meaning of this text indicates that *Salaatul-Raghaa'ib* done on the first Friday night of Rajab is contrary to the Sharee'ah. If the *hadeeth* concerning it were authentic, it would have exempted it from the general prohibition. But, the scholars have spoken against its *hadeeth* and declared it fabricated.

It also indicates that voluntary fasting only on that day is also forbidden. Ibn al-Munthir said, "The prohibition of fasting on Friday is authentically established as it is on the day of 'Eed." Aboo Ja'far at-Tabaree said, "The difference between 'Eed and Jumu'ah is that there is a confirmed consensus (*Ijmaa'*) on the prohibition of fasting on 'Eed day, even if a person fasted a day before it or after it." The majority of scholars held that the prohibition on singling out Friday for fasting is one of dislike based on the following *hadeeth* of Ibn Mas'ood:

((كَانَ رَسُولُ اللهِ يَصُومُ مِنْ كُلِّ شَهْرٍ ثَلاَثَةَ أَيَّامٍ وَقَلَّمَا كَانَ يُفْطِرُ يَوْمَ الْجُمُعَةِ ))

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[6] *Sahih Muslim*, vol.2, p.555, no.2546.

"Allaah's Messenger (ﷺ) used to fast three days of every month and he would rarely not fast on Fridays."[7]

At-Tirmithee collected it and declared it *hasan* (fairly sound). So his (ﷺ) action is the context indicating that the prohibition is not one of banning.

My response to that is that it is possible that he used to fast a day before or a day after and, "with a possibility to the contrary, evidence becomes incomplete" (*ma'al-ihtimaal laa yatimmul-istidlaal*).

The [scholars] differed concerning the reason for the prohibition of fasting. The clearest position is that it is the Day of 'Eed as narrated in the following *hadeeth* of Aboo Hurayrah, ascribed to the Prophet (ﷺ):

(( يَوْمُ الْجُمُعَةِ يَوْمُ عِيدِكُمْ ))

"*Friday is your day of festivities.*"

Ibn Abee Shaybah collected in a fairly sound chain from 'Alee (peace be upon him) that he said:

(( مَنْ كَانَ مِنْكُمْ مُتَطَوِّعًا مِنْ الشَّهْرِ فَلْيَصُمْ يَوْمَ الْخَمِيسِ وَلاَ يَصُمْ يَوْمَ الْجُمُعَةِ فَإِنَّهُ يَوْمُ طَعَامٍ وَشَرَابٍ وَذِكْرٍ ))

"Whoever among you wishes to do voluntary fasts monthly, let him fast on Thursday and not on Friday because it is a day for food, drink and remembrance of God."

This is also among the evidence for the prohibition of fasting on that day. It does not necessarily have to be like the 'Eed in all aspects, for the prohibition of fasting on it is lifted by fasting a day before or after it, as indicated by the following statement.

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[7] Saheeh *Sunan at-Tirmithee*, vol.1, p.393, no.742. Al-Muzhir said, "Its explanation is that he used to fast it along with the day before or the day after, or that it was special for the Prophet (ﷺ)) like continual fasting (*wisaal*)." Maalik and Aboo Haneefah held that it was not disliked based on this *hadeeth*. Ibn Hajar in *Fat'hul-Baaree* said, "This *hadeeth* does not contain proof for their position, because it contains the possibility that it meant that he would not deliberately break fast on that day if it fell in the days that he habitually fasted. And it does not contradict the dislike for fasting on that day, if the two *hadeeths* are combined." (*Tuhfatul-Ahwathee*)

**[645]** - وَعَنْهُ أيضاً رضِيَ اللهُ عَنْهُ قَالَ : قَالَ رَسُولُ اللهِ ﷺ: **"لا يَصُومَنَّ أحَدُكُمْ يَوْمَ الجُمُعَةِ، إلا أنْ يَصُومَ يَوْماً قَبْلَهُ، أوْ يَوْماً بَعْدَهُ"** مُتَّفقٌ عَلَيْهِ .

**[40]** - Aboo Hurayrah stated that Allaah's Messenger (ﷺ) said, **"None of you must fast on a Friday unless he also fasts the day before or the day after it."** Collected by al-Bukhaaree and Muslim.[8]

This indicates that the prohibition for fasting on that day is removed for a reason whose wisdom is unknown to us. If a person fasted on that day alone, he would be obliged to break his fast, as indicated by what was collected by Ahmad, al-Bukhaaree and Aboo Daawood from Juwayriyyah's following *hadeeth*:

عَنْ جُوَيْرِيَةَ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ دَخَلَ عَلَى جُوَيْرِيَةَ فِي يَوْمِ جُمُعَةٍ وَهِيَ صَائِمَةٌ فَقَالَ لَهَا أَصُمْتِ أَمْسِ قَالَتْ لَا قَالَ تَصُومِينَ غَدًا قَالَتْ لَا قَالَ فَأَفْطِرِي

Juwayriyah related that the Messenger of Allaah (ﷺ) came to her on a Friday in which she was fasting and said to her, "*Did you fast yesterday?*" She replied, "No." He said, "*Will you fast tomorrow?*" She replied, "No." He said, "*Then break your fast.*"[9]

The basic meaning of the imperative is obligation.

**[646]** - وَعَنْهُ أيضاً رضي اللهُ عَنْهُ أنَّ رَسُولَ اللهِ قالَ ﷺ: **"إذا انْتَصَفَ شعْبَانُ فلا تَصُومُوا"** رَوَاهُ الخَمْسَةُ. واسْتَنْكَرَهُ أحْمَدُ .

**[41]** - Aboo Hurayrah narrated that Allaah's Messenger (ﷺ) said, **"When the middle of Sha'baan comes do not fast."**

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[8] *Sahih Al-Bukhari,* vol.3, pp.117-8, no.206 and *Sahih Muslim,* vol.2, pp.554-5,no. 2545.

[9] *Musnad Ahmad,* CD no. 25530.

Collected by the five[10]; but Ahmad declared it to be a narration from a weak transmitter which disagrees with what is generally reported.

Ibn Hibbaan and others authenticated it. Ahmad rejected it because it was from the narrations of al-Ulaa ibn ‘Abdir-Rahmaan. I say that he is among the narrators of Muslim. The author [Ibn Hajar] in *at-Taqreeb* declared him *sadooq* (truthful) with some errors.

The *hadeeth* is proof for the prohibition of fasting in the second half of Sha‘baan, however it is limited by the earlier mentioned *hadeeth* :

(( إِلاَّ أَنْ يُوَافِقَ صَوْماً مُعْتَاداً ))

“*Unless it coincides with an habitual fast.*”

The scholars differed concerning this. Many Shaafi’ites held that it was forbidden based on this prohibition. Others held that it was disliked, except for a day or two before Ramadaan which are forbidden. Yet others held that it was not disliked and others that it was recommended and that the *hadeeth* is explained to refer to those weakened by the fast. It is as if they used as evidence the following *hadeeth*:

(( أَنَّهُ كَانَ يَصِلُ شَعْبَانَ بِرَمَضَانَ ))

“*He used to join Sha‘baan to Ramadaan.*”

However, it is obvious that if his statement contradicts his action, his statement is given precedence.

**[647]** - وَعَنِ الصَّمَاءِ بِنْتِ بُسْرٍ رَضِيَ اللهُ عَنْهَا أَنَّ رَسُولَ اللهِ ﷺ قَالَ : **"لا تَصُومُوا يَوْمَ السَّبْتِ، إلا فِيمَا افْتُرِضَ عَلَيْكُمْ، فَإِنْ لَمْ يَجِدْ أَحَدُكُمْ إلا لِحَاءَ عِنَبٍ، أَوْ عُودَ شَجَرَةٍ فَلْيَمْضُغْها"** رَوَاهُ الخَمْسَةُ، وَرِجالهُ ثِقاتٌ، إلا أَنَّهُ مُضْطَرِبٌ، وَقَدْ أَنْكَرَهُ مَالِكٌ وَقَالَ أَبُو داوُدَ : هُوَ مَنْسُوخٌ.

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[10] *Sunan Abu Dawud*, vol.2, p.640, no.2330 and authenticated in *Saheeh Sunan Abee Daawood*, vol.2, p.445 no.2049.

**[42] –** As-Samaa, daughter of Busr, reported that Allaah's Messenger (ﷺ) said, **"Do not fast on Saturday except during what has been prescribed for you; and if one of you cannot get anything but a grape skin or a piece of wood from a tree to chew on, he should chew on it."**

Collected by the five; and its transmitters are authoritative, but it is a jumbled narration with regards to its first link of narrators. Maalik said that it is a narration from a weak transmitter and disagrees with what is generally reported. Aboo Dawood said, "It is abrogated."[11]

As regards the jumbling of its narration, it is because 'Abdullah ibn Busr narrated it from his sister as-Samaa. It is also said that 'Abdullaah narrated it, and there is no mention of his sister. It is also said that this is not a damaging fault because he was a companion. It is said that it was narrated from him from his father, Busr. It is said from as-Samaa from 'Aa'ishah. An-Nasaa'ee said: "This *hadeeth* is jumbled (*mudtarib*)." The author, Ibn Hajar, said, "It is possible that it could be with 'Abdullaah from his father and from his sister, and with his sister from another source. This path is authentic and 'Abdul-Haqq followed ad-Daaraqutnee and favored the first path. However these variations in a single *hadeeth* with a single chain of narrators from a single source implies a lack of precision unless it is from well-known prolific narrators known to gather the paths of a single *hadeeth* in which case it is not indicative of lack of precision. But that is not the case here. There are differences concerning the narrator who transmitted the *hadeeth* from 'Abdullaah ibn Busr.

As for Maalik's rejection of it, Aboo Daawood quoted him as saying, "This is a lie." As for Aboo Daawood's claim that it is abrogated, perhaps he meant that that it was abrogated by the following narration:

**[648]** - وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللهُ تَعَالى عَنْهَا، أَنَّ رَسُولَ اللهِ ﷺ كانَ أَكْثَرَ مَا يَصُومُ مِنَ الأَيَّامِ يَوْمُ السَّبْتِ، وَيَوْمُ الأَحَدِ، وَكَانَ يَقُولُ : **"إِنَّهُمَا يَوْما عِيدٍ**

[11] *Sunan Abu Dawud,* vol.2, p.665, no.2415 and authenticated in *Saheeh Sunan Abee Daawood,* vol.2, p.459, no.2116.

لِلْمُشْرِكِينَ، وأنا أُرِيدُ أنْ أُخَالِفَهُمْ" أخرَجَهُ النَّسَائِيُّ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ، وَهذا لَفْظُهُ .

**[43]** - Umm Salamah related that Allaah's Messenger (ﷺ) used to fast on Saturdays and Sundays more than on any other days, and he used to say, ***"They are festive days for the polytheists, and I want to act contrary to them."***

Collected by an-Nasaa'ee. Ibn Khuzaymah declared it sound and this is his wording.[12]

The prohibition on fasting them was in the beginning when he used to like to agree with the People of the Scriptures. Then his final instructions were to be contrary to them as clearly stated in this *hadeeth*. It is said that the prohibition was for fasting on those days by themselves, and not if one fasted a day before it or after it.

At-Tirmithee collected a narration from 'Aa'ishah in which she said:

"Allaah's Messenger (ﷺ) used to fast every month, Saturday, Sunday and Monday; and in another month Tuesday, Wednesday and Thursday."

The *hadeeth* of the chapter indicates that fasting on Saturdays and Sundays is recommended to be contrary to the People of the Scripture. The obvious meaning implies fasting each day by itself or together.

**[649]** – وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ تعالى عَنْهُ أنَّ النَّبِيَّ ﷺ نَهى عَنْ صَوْمِ يَوْمِ عَرَفَةَ بِعَرَفَةَ. رَوَاهُ الخَمْسَةُ غَيْرَ التِّرْمِذِيِّ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وَالحَاكِمُ واسْتَنْكَرَهُ العُقَيْلِيُّ.

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[12] It is authenticated in *Saheeh Ibn Khuzaymah*, vol. 3, p. 318, no. 2167.

**[44]** - Aboo Hurayrah narrated that the Prophet (ﷺ) prohibited fasting on the day of ‘Arafah at ‘Arafah.

Collected by the five excluding at-Tirmithee. Ibn Khuzaymah and al-Haakim declared it sound; but al-‘Uqaylee declared it to be a narration from a weak transmitter which disagrees with what is generally reported.[13]

**[650]** - وَعَنْ عَبْدِ اللهِ بْنِ عُمَرَ رَضِيَ اللهُ عَنْهُمَا قَالَ : قَالَ رَسُولُ اللهِ ﷺ : **"لا صَامَ مَنْ صَامَ الأَبَدَ"** مُتَّفَقٌ عَلَيْهِ .

**[45]** - ‘Abdullaah ibn ‘Umar stated that Allaah’s Messenger (ﷺ) said, ***“May he who observes a perpetual fast never fast.”*** Collected by al-Bukhaaree and Muslim.[14]

**[651]** - وَلِمُسْلِمٍ مِنْ حَدِيثِ أَبِي قَتَادَةَ بِلَفْظٍ : **"لا صَامَ ولا أفْطَرَ"** .

**[46]** - Muslim[15] has this wording from Aboo Qataadah’s narration, ***“May he neither fast nor break his fast.”***

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[13] *Sunan Abu Dawud,* vol. 2, p. 671, no. 24, 34 and rated inauthentic in *Da‘eef Sunan Abee Daawood*, vol.1, p. 241, no. 528. However In *Saheeh al-Bukhaaree* it is narrated from Maymoonah (may Allaah be pleased with her) that the people were not sure whether the Prophet (ﷺ) was fasting on the day of ‘Arafah, so she sent him some milk when he was standing in ‘Arafah, and he drank it whilst the people were looking on. From this scholars have drawn the conclusion that it is not Sunnah for the one on Hajj to fast on the day of ‘Arafah. See *Majmoo’ Fataawa Ibn ‘Uthaymeen* (part 20, question no. 404)

[14] *Sahih Al-Bukhari,* vol.3, pp.111-3, no.198 and *Sahih Muslim*, vol.2, p.564, no.2591.

[15] *Sahih Muslim*, vol.2, pp.566-7, no.2602.

# Seclusion in the Mosque and Night Prayers in Ramadaan

**[652]** - عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ أَنَّ رَسُولَ اللهِ ﷺ قَالَ : **"مَنْ قَامَ رَمَضَانَ إِيمَاناً واحْتِسَاباً غُفِرَ لَهُ مَا تَقَدَّمَ مِنْ ذَنْبِهِ"** مُتَّفَقٌ عَلَيْهِ .

**[47]** - Aboo Hurayrah related that Allaah's Messenger (ﷺ) said, ***"He who prays during the nights of Ramadaan faithfully and seeking his reward from Allaah will be forgiven his past sins."***

Collected by al-Bukhaaree and Muslim[1]

**[653]** - وَعَنْ عَائِشَةَ رَضِيَ اللهُ عَنْهَا قَالَتْ : كانَ رَسُولُ اللهِ ﷺ إذا دَخَلَ العَشْرُ ــ أيِ العَشْرُ الأخِيرةُ مِنْ رَمَضَانَ ــ شَدَّ مِئْزَرَهُ، وَأَحْيَا لَيْلَهُ، وأَيْقَظ أَهْلَهُ. مُتَّفَقٌ عَلَيْهِ.

**[48]** - 'A'ishah narrated that Allaah's Messenger (ﷺ) stayed awake at night, and awoke his family on the last ten nights of Ramadaan.

Collected by al-Bukhaaree and Muslim.[2]

**[654]** - وَعَنْهَا رَضِيَ اللهُ عَنْهَا، أَنَّ النَّبِيَّ ﷺ كانَ يَعْتَكِفُ العَشْرَ الأَوَاخِرَ مِنْ رَمَضَانَ، حَتّى تَوَفَّاهُ اللهُ عَزَّ وَجَلَّ، ثُمَّ اعْتَكَفَ أَزْوَاجُهُ مِنْ بَعْدِهِ. مُتَّفَقٌ عَلَيْهِ .

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[1] *Sahih Al-Bukhari*, vol.3, p.126, no. 226 and *Sahih Muslim*, vol.1, p.366, no.1662.

[2] *Sahih Al-Bukhari*, vol.3, p.134, no.241and *Sahih Muslim*, vol.2, p.576, no.2643.

**[49]** - ‘Aishah reported that the Prophet (ﷺ) used to seclude himself in the mosque during the last ten days of Rama<u>d</u>aan until Allaah, Who is Great and Glorious, took his soul, and then his wives followed this practice after his death.

Collected by al-Bukhaaree and Muslim.[3]

This *<u>h</u>adeeth* contains evidence that seclusion in the mosque (*i‘tikaaf*) is Sunnah which Allaah’s Messenger (ﷺ) did continually and his wives did after him [4]. Aboo Daawood narrated from A<u>h</u>mad that he said, “I do not know from any scholar a difference of opinion regarding seclusion being from the Sunnah.”

As regards the intent for seclusion, it is focusing the heart on Allaah, Most High, through seclusion along with emptying the stomach and turning to the Almighty, taking pleasure from remembering Him and turning away from everything else besides Him.

**[655]** - وَعَنْهَا رَضِيَ اللهُ عَنْها قَالَتْ : كَانَ النَّبِيُّ ﷺ إذا أَرَادَ أنْ يَعْتَكِفَ صَلى الفَجْرَ ثُمَّ دَخَلَ مُعْتَكَفَهُ. مُتَّفَقٌ عَلَيْهِ .

**[50]** - ‘Aa’ishah narrated that whenever the Prophet (ﷺ) intended to seclude himself in the mosque; he prayed the dawn prayer and then entered his place of seclusion.

Collected by al-Bukhaaree and Muslim.[5]

This *<u>h</u>adeeth* contains proof that the beginning of the time for seclusion is after the morning prayer (*<u>s</u>alaatul-fajr*), as is evident from the text. This *<u>h</u>adeeth* is contradicted by those who say that he should enter the mosque after the beginning

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[3] *Sahih Al-Bukhari*, vol.3, pp.135-6, no.243 and *Sahih Muslim*, vol.2, p.575, no.2640.

[4] *Sahih Muslim*, vol.2, pp.566-7, no.2602.

[5] *Sahih Al-Bukhari*, vol. 3, pp. 138-9, no. 249 and *Sahih Muslim*, vol. 2, pp. 575-6, no. 2640.

of the time for Fajr if he is going into seclusion during the day, and after sunset if he is going into seclusion during the night. They interpret this *<u>h</u>adeeth* to mean that Fajr would begin while he was in the mosque and after he prayed the morning prayer, he would seclude himself in the place which he prepared for *i'tikaaf.* I say that its being far fetched is obvious, for it was his habit not to leave his home except at the time of the *iqaamah.*

**[656]** – وَعَنْهَا رَضِيَ اللهُ عَنْهَا قَالتْ : إنْ كَانَ رَسُولُ اللهِ ﷺ لَيُدْخِلُ عَليَّ رَأْسَهُ ــ وَهُوَ فِي المَسْجِدِ فَأُرَجِّلُهُ، وَكَانَ لا يَدْخُلُ البَيْتَ إلا لِحاجَةٍ ، إذا كانَ مُعْتَكِفاً. مُتَّفَقٌ عَلَيْهِ، واللَّفْظُ لِلْبُخَارِيِّ .

**[51]** - Aa'ishah said, "Allaah's Messenger (ﷺ) would sometimes lay his head on my lap, when he was in the mosque, and I would comb his hair for him. When he was secluded in the mosque he would not enter his house unless it was for a dire need.

Collected by al-Bukhaaree and Muslim. The wording is that of al-Bukhaaree.

**[657]** - وَعَنْهَا قَالتْ : السنَّة عَلَى المُعْتَكِفِ أنْ لا يَعُودَ مَرِيضاً، ولا يَشْهَدَ جَنَازَةً، ولا يَمَسَّ امْرَأَةً، ولا يُبَاشِرَها، ولايَخْرُجَ لِحَاجَةٍ إلا لِما لا بُدَّ لَهُ مِنْهُ ولا اعْتِكَافَ إلا بِصَوْمٍ، ولا اعْتِكَافَ إلا فِي مَسْجِدٍ جَامِعٍ. رَوَاهُ أَبُو دَاوُدَ ولا بَأْسَ بِرِجَالِهِ إلا أنَّ الرَّاجِحَ وَقْفُ آخِرِه.

**[52]** - 'Aa'ishah said that the Sunnah for one who is secluded in a mosque is not to visit the sick, nor attend a burial, nor fondle his wife, nor go out for anything except for what was an absolute necessity.

Seclusion in a mosque is not valid without fasting, and it must be carried out in a congregational mosque.

Collected by Aboo Daawood and its transmitters are authentic, but the strongest opinion is that the last part was the personal opinion of 'Aa'ishah.[6]

The phrase "the last part," above refers to the text following, "Seclusion in a mosque is not valid without fasting…" The author said that ad-Daaraqutnee insisted that the portion of the *hadeeth* which was 'Aa'ishah's own words was "*he did not go out for anything except for what was an absolute necessity,*" and the rest was from those after her according to *Fat'hul-Baaree*. Here he said: The last part of it was the opinion of 'Aa'ishah (*mawqoof*).

It indicates that the person in seclusion should not leave the mosque for the things mentioned in this narration and that he should also not leave to attend Jumu'ah and that if he did any of these things it would invalidate his seclusion. There is a major difference of opinion on this issue, however, the evidence supports what I mentioned. There is a difference concerning fasting being a condition for seclusion. This limited *hadeeth* indicates that it is a condition. There are narrations which negate the condition of fasting and others which affirm it, but all of them do not reach the level of evidence. Except that seclusion is known from the Prophet's action and he only went into seclusion while fasting. As for his seclusion in the first ten days of Shawwaal, what is obvious is that he fasted them and he did not go into seclusion except on the second of Shawwaal because the day of 'Eed he was busy with the 'Eed prayer, sermon and his going out to *jabaanah,* except that his action alone is not sufficient to establish a condition. As for the condition that it be in a mosque, the majority are in agreement, except for some scholars. The intent behind it being a "congregational mosque" is that the five daily prayers are done there, which was the opinion of Ahmad and Aboo Haneefah, while the majority held that it could be done in any mosque except for one obliged to make Jumu'ah. Ash-Shaafi'ee preferred it in the congregational mosque and it is similar to the fast in that the Prophet (ﷺ) only made seclusion in his mosque which was a congregational mosque.

Among the *hadeeths* which indicate that fasting is not a condition is the following:

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[6] *Sunan Abu Dawud,* vol. 2, p. 682, no. 2467 and authenticated in *Saheeh Sunan Abee Daawood,* vol.2, pp.468-9 no.2160.

**[658]** - وَعَنِ ابْنِ عَبَّاسٍ رَضِي اللهُ عَنْهُمَا أنَّ النَّبِيَّ ﷺ قَالَ : **"لَيْسَ عَلَى الْمُعْتَكِفِ صِيَامٌ إلا يَجْعَلَهُ عَلَى نَفْسِهِ"** رَوَاهُ الدَّارَقُطْنِيُّ وَالحَاكِمُ، وَالرَّاجِحُ وَقْفُهُ أيْضاً.

**[53]** - Ibn ‘Abbaas narrated that the Prophet (ﷺ) said, ***“Fasting is not incumbent on one who is observing a period of private devotion, but it is up to him to fast or not place it on himself.”***

Collected by ad-Daaraqutnee and al-Haakim, and the strongest opinion is that it was also the opinion of Ibn ‘Abbaas.[7]

**[659]** - وَعَنِ ابْنِ عُمَرَ رَضِيَ اللهُ عَنْهُمَا، أنَّ رِجالاً مِنْ أصْحَابِ النَّبِيِّ ﷺ أُرُوا لَيْلَةَ القَدْرِ فِي المَنَامِ، فِي السَّبْعِ الأوَاخِرِ، فَقَالَ رَسُولُ اللهِ ﷺ: **"أرَى رُؤْياكُمْ قَدْ تَوَاطَأَتْ فِي السَّبْعِ الأوَاخِرِ، فَمَنْ كَانَ مُتَحَرِّيها فَلْيَتَحَرَّهَا فِي السَّبْعِ الأوَاخِرِ"** . مُتَّفَقٌ عَلَيْهِ.

**[54]** - Ibn ‘Umar reported that some of the Prophet’s (ﷺ) companions dreamt that Laylatul-Qadr was among the last seven nights (of Ramadaan), so Allaah’s Messenger (ﷺ) said, ***“I see that your dreams agree regarding the last seven nights, so if anyone seeks it, he should do so during the last seven nights.”***

Collected by al-Bukhaaree and Muslim.[8]

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[7] Rated inauthentic in *Da‘eef al-Jaami‘ as-Sagheer*, vol. 1, p.707, no. 4896

[8] *Sahih Al-Bukhari*, vol. 3, pp. 129-30, no. 232 and *Sahih Muslim*, vol. 2, p. 570, no. 2617.

**[660]** – وَعَنْ مُعَاوِيَةَ بْنِ أَبِي سُفْيَانَ رَضِيَ اللهُ عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ فِي لَيْلَةِ القَدْرِ : لَيْلَةُ سَبْعٍ وَعِشْرِينَ" رَوَاهُ أَبُو داوُدَ، والرَّاجِحُ وَقْفُهُ، وَقَدِ اخْتُلِفَ فِي تَعْيِينِهَا عَلَى أَرْبَعِينَ قَوْلاً أَوْرَدْتُهَا فِي فَتْحِ البَارِي .

**[55]** – Mu'aawiyah ibn Abee Sufyaan related that regarding Laylatul-Qadar, the Prophet (ﷺ) said, ***"It is the twenty-seventh night."***

Collected by Aboo Daawood[9] and the strongest opinion is that it was Mu'aawiyah's opinion. Ibn Hajr said "There are forty different sayings about which night Laylatul-Qadr is, and I made mention of them in *Fat'hul-Baaree.*

**[661]** - وَعَنْ عائشَةَ رَضي الله عنها قَالتْ : قُلْتُ يَا رَسُولَ اللهِ، أَرَأَيْتَ إن عَلِمْتُ أيَّ لَيْلَةٍ لَيْلَةُ القَدْرِ، مَا أَقُولُ فِيها؟ قَالَ : "قُولِي : "**اللَّهُمَّ إنكَ عَفُو تُحبُّ العَفْوَ فاعْفُ عَنِّي**" رَوَاهُ الخَمْسَةُ، غَيْرَ أَبِي دَاوُدَ، وَصَحَّحَهُ التِّرْمِذِيُّ وَالحَاكِمُ .

**[56]** - 'Aa'ishah said, "I said, 'O Messenger of Allaah! What prayers should I say if I know which night is Lailatul-Qadr?" He said, ***"Say, O Allaah, You are Forgiving and You love forgiveness, so forgive me."***

Collected by the five excluding Aboo Daawood. At-Tirmithee and al-Haakim declared it sound.[10]

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[9] *Sunan Abu Dawud,* vol. 1, p. 363, no. 1381 and authenticated in *Saheeh Sunan Abee Daawood,* vol. 1, p. 260, no. 1236.

[10] It is authenticated in *Saheeh Sunan Ibn Maajah,* vol. 2, p. 328, no. 3105.

**[662]** - وَعَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللهُ عَنْهُ قَال : قَالَ رَسُولُ اللهِ ﷺ: **"لا تُشَدُّ الرِّحَالُ إلا إلى ثلاثة مَسَاجِدٍ : المَسْجِدِ الحَرَامِ، وَمَسْجِدِي هذا، وَالمَسْجِدِ الأَقْصَى "**. مُتَّفَقٌ عَلَيْهِ .

**[57]** - Abee Sa'eed al-Khudree quoted Allaah's Messenger (ﷺ) as saying, ***"Only for prayer in three mosques should animals be saddled: The Sacred Mosque, this mosque of mine, and the Aqsaa Mosque."*** Collected by al- Bukhaaree and Muslim.[11]

[11] *Sahih Al-Bukhari*, vol. 2, p. 157, no. 281 and *Sahih Muslim*, vol. 2, p. 699, no. 3218.